

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11076 of 2017

Arising Out of PS. Case No. -414 Year- 2016 Thana -FATUHA District- PATNA

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Harish Kumar, Son of Late Shiv Kumar Singh, resident of village + P.O.
Amhara, P.S. Bihata, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

5 13-07-2017

Heard learned counsel for the petitioner and State.

The petitioner apprehends his arrest in a case registered for the offence under Sections 409 of the Indian Penal Code.

The petitioner is the headmaster of Upgraded Middle School, Maksoodpur-cum-Coordinator, Kasturba Gandhi Valika Awasiya Vidyalaya, Fatuha.

Allegation is that the petitioner issued the cheques in favour of food-grain shop, which did not exist and, as such, he misappropriated a sum of Rs.14,15,000/-.

Learned counsel for the petitioner submits that the all the transactions were made by the cheques and to the genuine persons, which would be subject to investigation and trial.

Having regard to the facts and circumstances of the



case, in the event of arrest or surrender before the court below within four weeks from today the petitioner, above named, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Patna City, Patna in connection with Fatuha P.S. case no. 414 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with the further condition that the petitioner would deposit a sum of Rs.40,000/- within two months, which would be subject to the result of the case. Furthermore, the petitioner would not physically absent for two consecutive dates, at stretch, till two witnesses are examined in trial.

(Samarendra Pratap Singh, J.)

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