

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44623 of 2016

Arising Out of PS.Case No. -2835 Year- 2008 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR) pending in the Court of C.J.M., Vaishali at Hajipur.

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1. Ashok Kumar Singh Son of Late Tripit Narayan Singh Resident of
Village- Barahatiya, Police Station- Vaishali (Belsar O.P.) in the district
of Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi W/o Harendra Ram Resident of Village- Rikhar, Police
Station- Lalganj, District- Vaishali.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-02-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The District Education Officer, Vaishali, wrote letter
No.1354, dated 06.09.2008, to this petitioner, who was Principal
of Primary School, Rikhar, Lalganj, in the district of Vaishali and
lodged an F.I.R. against the informant of this case Manju Devi,
who was Secretary of the School Education Committee of the said
school. The F.I.R. was to be lodged for allegation of
embezzlement of public money, which was meant for construction
of the school building.

In pursuance of that letter, the petitioner lodged
Complaint Case No. 2769 of 2008 in the Court of learned Chief



Judicial Magistrate, Vaishali at Hajipur, against the informant of this case. Thereafter, the informant lodged the present Complaint Case No.2835 of 2008 against the petitioner in the same Court of learned Chief Judicial Magistrate, Vaishali at Hajipur, with allegation that in fact the petitioner had committed embezzlement of public fund by not completing the construction of building and boundary wall of the school.

Submission of the petitioner is that the responsibility of completion of construction work was of the Secretary and not of the petitioner and the present case is a counterblast of the case lodged by the petitioner.

Learned counsel for the opposite party No.2 opposes the prayer for anticipatory bail.

The record reveals that by order dated 28.10.2016, another Hon'ble Judge had allowed provisional bail to this petitioner on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each, in the event of his arrest in connection with Vaishali Complaint Case No.2835 of 2008, pending in the Court of Chief Judicial Magistrate, Vaishali at Hajipur. The said order is hereby affirmed.

(Birendra Kumar, J)

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