

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51116 of 2017

Arising Out of PS.Case No. -117 Year- 2017 Thana -AMAU District- PURNIA

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1. Laxman Kumar Roy S/o Hardev Rai Resident of Village - Mahesh Bathana, P.S. - Amour, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Adv.

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 21-12-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Amour Police Station Case No. 117 of 2017, disclosing offences under Sections 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be In-charge Head Master of the School in question has completed the construction of building in the year 2013 itself under the supervision of technical supervisor, which is evident from annexure-2 series. Moreover the details of purchase of construction material worth of Rs. 12,00,000/- is apparent from



annexure-3. Since the dispute relates to alleged misappropriation of government money sanctioned during the financial year 2011-12 for construction of school building and the same has properly been utilized in the construction of school building, which is apparent from annexures-2 and 3, therefore, nothing remains in this case for further prosecution against this petitioner. Hence, the petitioner who is of clean antecedent deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Amour Police Station Case No. 117 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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