

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50778 of 2016

Arising Out of PS.Case No. -457 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Markandey Rai, S/o late Shyam Narayan Rai, resident of Village- Murero,
P.S. Bhawar Kol Districti- Gazipur, U.P. At present residing at Lal Bangla,
Bose Bagan, P.S.- Dalmianagar District Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajatshatru, Advocate.

For the Opposite Party : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Dehri P.S. Case No. 457 of 2016, G.R. No. 867/2016 for the
offences instituted under Sections 420 and 409 of the IPC.

The prosecution story, in brief, is that the petitioner
being the Headmaster and other co-accused Chandradeo Singh,
Clerk, of the High School withdrawn the amount illegally and
irregularly from the Student Fund and Development Fund of the
School.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. No defalcated amount has been disclosed in the FIR or in the case diary. As per the allegation, the petitioner has not maintained the records of the School. At best, it can be administrative lapses on the part of the petitioner. No departmental proceeding has been initiated against him.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Dehri P.S. Case No. 457/2016 (G.R. No. 867/2016) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

