

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16187 of 2017

Arising Out of PS.Case No. -91 Year- 2016 Thana -ISHIPUR District- BHAGALPUR

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Pankaj Kumar, Son of late Naresh Mandal, Resident of Village- Bishal, P.S.
Ishipur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Subodh Prasad, Advocate.

For the Opposite Party : Mr. Ramesh Chandra, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-04-2017 Heard both sides.

The petitioner apprehends his arrest in Ishipur Barahat
P.S. Case No. 91 of 2016, registered for the offences punishable
under Sections 409 and 420 of the Indian Penal Code.

The Block Education Officer, Pirpainti alleged that
Awadhesh Kumar Sah, the in-charge headmaster of Sahuwasa
Primary School and the petitioner, the Assistant Teacher of the
aforesaid school illegally withdrew amount meant for dress and
scholarships of the students.

Learned counsel for the petitioner submits that the
petitioner was the assistant teacher of the aforesaid school and he
has no manner of concern with the amount of dress and
scholarship. The in-charge headmaster Awadhesh Kumar Sah
deposited the entire amount alleged to have been defalcated on



04.10.2016 and 05.10.2016 and on that ground Awadhesh Kumar Sah has already been enlarged on anticipatory bail vide order dated 17.02.2017 passed in Cr. Misc. No. 3962 of 2017. The case of the petitioner stands on better footing.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Ishipur Barahat P.S. Case No. 91 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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