

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50513 of 2016

Arising Out of PS.Case No. -154 Year- 2016 Thana -KURSAKANTA District- ARRARIA

Mrityunjay Anand Son of Brahmanand Mandal resident of Village-
Maratipur, P.S.-Kursakanta, District-Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : M/S. Ambarish Kumar and Jagjit Roshan,
Advocates.

For the Opposite Party : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 02-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Kursakanta P.S. Case No. 154 of 2016 for the offences
instituted under Sections 406, 409 and 420/34 of the IPC.

The prosecution story, in brief, is that the petitioner
being the Headmaster of the School, Kursakanta, Araria,
misappropriated the government fund which was allotted for
providing scholarship to SC/ST, E.B.C and B.C. students showing
their false and excess number in the School in collusion with other
accused persons.

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. The alleged amount of Rs. 3,46,200/- has already been deposited before the competent authority vide Annexure-3 to the present application. Similarly situated the other co-accused persons have been granted bail by another co-ordinate Benches of this Court as well as by this Court vide Cr. Misc. Nos. 51482/2016, 54145/2016, 50142/2016 and 51870 of 2016, copies of order have been annexed to the supplementary affidavit.

On behalf of the State, it has been submitted that after verification he has been instructed that the amount in question has already been deposited with the State.

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 Kursakanta P.S. Case No. 154/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)