

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48872 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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Rakesh Kumar, son of Bindeshwar Prasad Singh, village- Pyarepur, P.S.
Sarmera, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Ranjan Kumar, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Sarmera P.S. Case No. 57 of 2016, registered for the offences
punishable under Sections 409 and 420 of the Indian Penal Code.

Allegedly, the petitioner being In-charge Headmaster
of Upgraded Middle School, Sadaha, with aid and assistance of
co-accused Bimal Prasad Singh embezzled the amount of Rs.
6,36,290/- which was allotted for construction of room, but did not
make any construction and embezzled the amount.

Submission is of false implication and that the
petitioner has joined in the school on 29.04.2011 as a teacher and
thereafter he was made In-charge Headmaster on 29.11.2012 and
the petitioner has got no role in the said embezzlement,



embezzlement was done prior to his joining which is evident from para 19 and 20 of the case diary and, as such, petitioner deserves sympathetic consideration

The learned A.P.P. submits that the petitioner is named in the F.I.R.

In the facts and circumstances as stated above, considering the fact as stated in para 19 and 20 of the case diary, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 A.C.J.M. VII, Nalanda, in connection with Sarmera P.S. Case No. 57 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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