

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7525 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

=====

1. Kamendra Gupta, Son of Bagedan Sah, Resident of Village- Jagdishpur,
Police Station- Vijaipur, District- Gopalganj.
2. Saroj Devi, Wife of Bachanpal, Resident of Village- Bhawani Chhapar,
Police Station- Vijaipur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Sr. Adv.
Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Dashrath Mehta

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 The petitioners are apprehending their arrest in connection with Vijaipur P.S. Case No. 131 of 2016, registered for offences punishable under Sections 419, 420, 409/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that though it is alleged that Rs. 9,01,000/- was sanction in the account of school and Rs. 6,75,000/- was sent to the School account, however, according to written report only Rs. 6,75,000/- was transferred in the account of the school and the allegation is that the petitioner no.1, who is the headmaster-cum-chairman of the school and petitioner no. 2, who is the secretary of the school, have not constructed the school building, for which the above amount was transferred in the account of the school, however the said amount has validly been spent on the construction of building as the construction of the building is half completed but for further



construction no amount was transferred by the authorities as such the construction work was stopped, for which the present case has been lodged.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case and also in view of the nature of allegation, let the petitioners above named, surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM -IV, Gopalganj in connection with Vijaipur P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also on condition that he will produce all the documents relating to construction work and cooperate in the investigation of case.

It is further made clear that once charge-sheet is filed in the present case and if no incriminating materials come against these petitioners, the Court below shall confirm the provisional bail granted to the petitioners, otherwise he is free to pass any order as he deems fit.

(Vinod Kumar Sinha, J)

sunil/-

U			
---	--	--	--

