

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6920 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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Md. Ashraf Raza, Son of Md. Rafique Rain, resident of Village Kardauli,
P.S. Kamtaul, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 24-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kamtoul P.S. Case no.149 of 2016, registered under Section 409 of the
Indian Penal Code.

The accusation is that the petitioner being the
Headmaster of Middle School Karwa, Jale withdrew money for
construction of the school building, but he did not completed the said
work. Thereafter, the petitioner was directed to deposit Rs. 1581662/-
in the concerned account of the school, but he did not deposit the
same.

Learned counsel for the petitioner submits that, in fact,
the petitioner withdrew Rs. 17,49,000/- for construction of the school
building in the year 2014-15. Thereafter, petitioner paid Rs. 1,60,000/-
to Vishwakarma Engineer Works, Rs. 3,55,000/- to P.M. Brick-kiln,



Rs. 3,00,000/- to Sumo Traders and Rs. 3,82,500 to Sudhir Traders, Kamtoul for supply of iron, brick and other materials, but due to non-supply of sand, which was restricted by the State Govt. in the year 2015, the work could not be done, but later on, the construction work of the school has been completed by this petitioner, which was also come in paragraph No. 38 of the case diary.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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, Darbhanga in connection with Kamtoul P.S. Case No. 149 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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