

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16167 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -AMAUR District- PURNIA

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Md. Hasibur Rahman, Son of Late Saddiruddin, Resident of Village- Parsai,
P.S.- Amour, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narayan Sinha, Senior Advocate,
Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 24-04-2017 Heard both sides.

The petitioner apprehends his arrest in Amour P.S.
Case No. 18 of 2017 registered for the offences punishable under
sections 409 and 420 of the Indian Penal Code.

The allegation against the petitioner is that he
withdrew Rs. 6,55,000/- for construction of school building in the
year 2008-2009, but he only spent Rs. 3,89,779/- and he
defalcated Rs. 2,65,211/-.

Sri S.N.P. Sinha, learned counsel appearing on behalf
of the petitioner submits that on perusal of First Information
Report it would appear that the District Programme Coordinator
found the work done upto Rs. 8,73,700/- for which the petitioner



took advance of Rs. 6,55,000/-. Rs. 1,31,330/- is to be paid to the petitioner, but this document has not been looked into by the informant, Block Education Officer. The petitioner has already retired from service.

Considering the fact that the District Programme Coordinator found in the year 2011 itself that the petitioner got the work done of Rs. 8,73,700/- against advance of Rs. 6,55,000/- and the District Programme Coordinator also ordered for payment of Rs. 1,31,330/-, the petitioner- Md. Hasibur Rahman, 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/- within two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Purnea in connection with Amour P.S. Case No. 18 of 2017, subject to the condition as laid down under section 438 (2) of the Cr. P.C.

(Prabhat Kumar Jha, J)

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