

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33377 of 2017

Arising Out of PS.Case No. -277 Year- 2016 Thana -BARHARA District- BHOJPUR

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1. Suresh Prasad Son of Late Jagarnath Ram Resident of Bheriya, Post -
Khiriaon, P.S. Kachwan, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
406/409/420/120B/34 of the Indian Penal Code.

The complaint based allegation reveals that the
informant, who is headmaster of the school, had transferred the
public money for construction of the school building allegedly at
the instance of the petitioner to the two builders/contractors.

Submission of the learned counsel for the petitioner is
that when the petitioner took step for lodging criminal prosecution
against the informant for embezzlement of the public money, the
informant has lodged the present case. There is no reason that on



oral direction of the petitioner any money would be transferred unless there is agreement for construction of the school building with the said builders/contractors.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara/successor Court in connection with Barhara (Khawaspur O.P.) Police Station Case No. 277 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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