

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31147 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -SINGHIYA District- SAMASTIPUR

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Basant Kumar Singh, son of Late Nagendra Prasad Singh, Resident of
Village- Singhia, P.S.- Singhia, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amitabh Sohan

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with
Singhiya P.S. Case No. 55 of 2017 registered for the offences
punishable under Sections 406, 409/34 of the Indian Penal Code.

Allegedly, the petitioner and other FIR named accused
persons misappropriated the fund of Rs. 6,06,360/- which was
allotted for construction of the middle school Bishunpur Diha.

Submission is of false implication and that Sri Kameshwar
Prasad Singh being the headmaster was granted the money, the
petitioner has got no concern with the same and as such he
deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail by
submitting that the headmaster was granted Rs. 23,28,000/-



advance and for construction of the school building in the account of school committee an amount of Rs. 6,05,360/- was transferred but the petitioner and others misappropriated the same. The petitioner was authorized for construction work in the meeting no. 3.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, the petitioner, if so advised, surrenders and seeks regular bail before the court below then his prayer of bail shall be considered on its own merit without being prejudiced by the present order preferably on the same day.

(Jitendra Mohan Sharma, J)

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