

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37020 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -RUPAULI District- PURNIA

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Shiv Shankar Ram Son of Late Narsingh Ram, Head-master Prathamik
Vidyalaya Baliya Harijan Tola, P.S.- Rupauli (Mohanpur), District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Rupauli
(Mohanpur) P.S. Case No. 17 of 2017 instituted for the offence
under Sections 409 and 420 of the Indian Penal Code.

There is allegation against the petitioner that he
misappropriated an amount of Rs.4,77,900/- which was withdrawn
by him for construction of building in the school while working as
In-charge Headmaster.

Learned counsel for the petitioner has submitted that
the amount with interest has already been returned, in support of
which, he has filed the letter of Block Extension Education
Officer, Rajauli, dated 19.5.2017, wherein it is mentioned that
petitioner has returned the entire amount along with interest



totaling Rs.4,98,983/-.

In such circumstances, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Rupauli (Mohanpur) P.S. Case No. 17 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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