

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58816 of 2017

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Binay Kumar @ Vinay Kumar, S/o Jamadar Singh, resident of Village-
Barun, P.S. Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Narari Kala Khurd P.S.

Case No. 01 of 2016 instituted for the offence under Sections-409, 420
of the Indian Penal Code.

It is alleged against this petitioner that while posted at
Narari Kala Khurd School, a sum of Rs. 10,88,000/- was allotted to get
the civil works executed out of which, 1st installment amounting to Rs.
7,30,000/- was released. The civil work was executed in part. An
amount of Rs. 6,77,958/- is to be realized from the petitioner.

Counsel for the petitioner has pointed out towards
Annexure-2 which is the letter issued by the District Programme
Officer wherein it has been stated that this petitioner received an
amount of Rs. 7,33,000/- out of which, the work for Rs. 7,09,973/- has
been completed and the remaining amount of Rs. 23,027, has already
been deposited in the account of the school.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Narari Kala Khurd P.S. Case No. 01 of 2016 to the satisfaction of Sri Sarvesh Kumar Mishra, learned Judicial Magistrate-Ist Class, Aurangabad subject to condition as laid down u/S 438(2) of the 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)

A.K.V./-

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