

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55655 of 2017

Arising Out of PS.Case No. -187 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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Md. Javed Alam @ Md. Jawaid Alam, S/o Safayat Hussain, Permanent Resident of Village-Lakhanpur, P.S. Tatarpur, District-Munger, at Present teacher Middle School Patuaha, P.S.+District-Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bakhtiarpur P.S. Case No.187 of 2017 registered under Sections 420 and 409 of the Indian Penal Code.

The accusation is that in the financial year 2010-11 and 2008-09, Rs.870000/- and Rs.755000/- respectively was allotted for the construction of the three class rooms in Middle School, Morkahi, but the petitioner being the headmaster of the said school did not get the work of construction of the class rooms of the school completed. As such, he defalcated Rs.57881/- in the financial year 2008-09 and Rs.179318/- in the financial year 2010-



11.

Learned counsel for the petitioner submits that, in fact, Rs.55000/- was in the school account, which was adjusted by the District Programme Officer, Saharsa, which would appear from the letter dated 12.09.2017 of the District Programme Officer, Saharsa (Annexure-2 to this application). The remaining amount of Rs.179318/- and Rs.2881/- has already been deposited through Demand Draft by the petitioner in the school account on 28.06.2017, which would appear from Annexure-3 to this application.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Bakhtiarpur P.S. Case No.187 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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