

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1475 of 2017

Arising Out of PS.Case No. -78 Year- 216 Thana -SURSAND District- SITAMARHI

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Kumar Viresh, son of Late Sukhchandra Prasad, resident of village-Sirsia Bazar, P.S. Bela, District-Sitamarhi, at present posted as Incharge Principal, Primary School Hanuman Nagar, Pokhar Tol, Block + P.S. Surshand, District-Sitamarhi.

.... 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 17-01-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Surshand P.S. Case No.78 of 2016 registered under Section 409 of the Indian Penal Code.

The accusation is that the petitioner being the Incharge Headmaster of Primary School Hanuman Nagar, Pokhar Tol, Block+P.S. Surshand, District-Sitamarhi, withdrew Rs.13,26,000/- for construction of the school building but construction was done only to the worth Rs.2,80,705/-.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the report dated 02.11.2016 of



the Assistant Engineer that the work was done till date upto lintel worth Rs.5,94,219/- and again a fresh report dated 28.11.2016 was submitted by the Assistant Engineer showing the work done upto roof level worth Rs.5,94,219/-, which would appear from Annexure-‘3’ series to this application, which is contradictory to the F.I.R. In fact, the petitioner with malafide intention has falsely been implicated in this case. The petitioner is in custody since 27.09.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on 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, Sitamarhi, in connection with Sursand P.S. Case No.78 of 2016.

(Rajendra Kumar Mishra, J)

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