

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8127 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

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1. Anil Sharma Son of Gyandutt Sharma Resident of Village- Mathiya,
Police Station- Vijaipur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha
Mr. Lokesh Kumar Singh
For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 The petitioner is apprehending his arrest in connection with Vijaipur P.S. Case No. 131 of 2016, registered for offences punishable under Sections 419, 420, 409/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though it is alleged that the petitioner have not constructed the school building, for which an amount of Rs. 16,00,000/- was transferred in the account of the school of which, the petitioner is the headmaster, however the said amount has validly been spent on the construction of building as the construction of the building has been completed. It has further been submitted that the petitioner is in possession of entire vouchers of the purchased materials, which shows that whole amount has been spent and only because the final settlement of account is not being done as the measurement book is not completed, the petitioner has been made accused in this case.



Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case and also in view of the nature of allegation, let the petitioner above named, surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, and the court below shall enlarge the petitioner on provisional bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM -IV, Gopalganj in connection with Vijaipur P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also on condition that he will produce all the documents relating to construction work and cooperate in the investigation of case

It is further made clear that once charge-sheet is filed in the present case and if no incriminating materials come against this petitioner, the Court below shall confirm the provisional bail granted to the petitioner, otherwise he is free to pass any order as he deems fit.

(Vinod Kumar Sinha, J)

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