

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45835 of 2016

Arising Out of PS.Case No. -243 Year- 2016 Thana -WAJIRGANJ District- GAYA

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1. Anil Kumar Nirala Son of Sri Nathun Prasad resident of Village-
Beldarbigha, Police Station-Tankuppa in the district of Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushant Kumar

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 28-06-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406 and 409 of the Indian Penal Code.

The allegation against the petitioner is of misappropriation of the fund meant for mid-day meal. The petitioner was the then In-Charge Principal of the school.

Earlier the case dairy did not reveal that any document was examined to substantiate the aforesaid allegation.

In the circumstances by order dated 03.03.2017, the Superintendent of Police, Gaya was directed to look into the matter and direct the Investigating Officer to look into the documentary evidence.



Fresh case diary has been received without any such material.

In the circumstances, in my view, there is no substantial material against the petitioner to send him to jail, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya/successor Court in connection with Wazirganj Police Station Case No. 243 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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