

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40552 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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Diwakar Prasad Gupta, son of late Ramdhani Sah, resident of village-
Jagdishpur, 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. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-10-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in Vijaipur P.S.
Case No. 80 of 2017 instituted for the offences under Sections
420, 409 and 406 of the Indian Penal Code.

There is allegation against the petitioner that he being
the Headmaster was allotted work of construction of additional
class room of upgraded Middle School for which money has been
allotted and also withdrawn by the petitioner, but the work has not
been completed. The work was allotted for the period 2011-12 and
2012-13 for construction of additional room.

Case diary has been received.

Learned A.P.P. has referred paragraph-21 of the case



diary wherein there is specific allegation against this petitioner of withdrawing the amount of Rs.18,67,000/- but construction has been done only up to the roof level.

The petitioner has himself admitted in paragraph-9 of the bail petition that the construction has not been completed.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

S.Ali/-

(Sanjay Priya, J)

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