

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25849 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -MAJORGANJ District- SITAMARHI

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1. Rajinder Kumar Jha @ Rajendra Jha @ Rajendda Jha, S/o Ram Swarth Jha, resident of Village- Harpur Kala, P.S.- Majorganj, District- Sitamarhi, at present posted as In-charge Head Master, High School, Mandpa, Shirpari, P.S.+ Distt- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 27-07-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Majorganj P.S. Case No.59 of 2017 instituted for the offence under Section(s) 420, 409/34 Indian Penal Code pending in the Court of the ACJM-I, Sitamarhi.

It is alleged in the written report that on the order of the District Magistrate, Sitamarhi, District Programme Officer enquired about the misappropriation of the government money given to the Govt. High School, Mandpa, Sitamarhi, for distribution amongst the students for dress, cycle, repairing of building, purchasing of books and laboratory apparatus of the school as well as income of the school from shop situated in the



campus and from agriculture of the school, but the Headmaster of the school did not spent the said money and misappropriated the same. Enquiry report of the District Programme Officer is part of the First Information Report.

Case diary has been received.

Learned APP has pointed out that in para 3 the informant in his further statement has stated that Headmaster of the school misappropriated government money and on demand the In-charge Headmaster (petitioner) did not produce the register and other papers before him and has defalcated the amount of rupees twenty lac. In para 8, Ram Pravesh Thakur, who is the In-charge Headmaster, has stated that the previous In-charge Headmaster did not handover charge of register and other papers of the school to him.

It is mentioned in the Enquiry Report that the petitioner being the Headmaster of the school withdrew the amount through cheque under his signature and did not spent the amount and misappropriated the same.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.



The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

Liberty is given to the petitioner to place the documents before the lower Court at the time of surrender to show that the amount which has been withdrawn has been utilized, which shall be considered and disposed of by the Court below in accordance with law.

(Sanjay Priya, J)

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