

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6168 of 2017**

Arising Out of PS.Case No. -1006 Year- 2016 Thana -SAHARSA District- SAHARSA

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Sri Chandra Narayan Jha Murari @ Chandra Narayan Jha Murari, son of  
Late Bishwa Narayan Jha, resident of Mohalla- D.B. Road, Saharsa  
(Opposite Mela Metro), P.S.- Saharsa Sadar, District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Harendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      20-02-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Saharsa  
P.S. Case No. 1006 of 2016 instituted for the offence under  
Section(s) 409 of the Indian Penal Code.

There is allegation against this petitioner that he  
defalcated Rs. 3,93,612/- from the fund which was provided for  
the construction of extra class room which was left incomplete.

It has been submitted on behalf of the petitioner  
that petitioner is ready to complete the work or deposit the amount  
of advance which was entrusted to him.

This Court is not satisfied with the aforesaid  
observation. The petitioner being government servant has



defalcated Rs. 3,93,612/- which was entrusted to him for construction of the extra class room of the school.

In the circumstance, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Saharsa P.S. Case No. 1006 of 2016 and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

**(Sanjay Priya, J)**

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