

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20387 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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1. Bhola Kumar son of Jagdish Raut resident of Krishna Tea Store, B.M. Das Road, Bankipur, P.S. Pirbahore, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 08-06-2017

Heard learned counsel for the petitioner and State.

Petitioner is apprehending his arrest in connection with Gandhimaidan PS case no. 118 of 2016 registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of Indian Penal Code.

From the FIR, it appears that petitioners and others have been made accused for misappropriation of the scholarship of the student. In para 9 of the petition, petitioner has stated on affidavit that he has neither withdrawn a single penny of the scholarship nor he is engaged in such activity. In para 13, he has stated that total defalcated amount was Rs. 15 lakhs which was recovered in cash from the school premises and the in-charge Principal of the said school namely Rajiv Ranjan has been granted anticipatory bail by this Hon'ble Court vide order dated 11.08.2016 passed in Cr.Misc. no. 26558 of 2016. It also appears that co-accused Kanti Devi has also been granted anticipatory bail by this Hon'ble Court vide order dated 06.02.2017 passed in

Cr.Misc. no. 32362 of 2016, Kavita Kumari @ Kavita Devi and Suruchi Kumar @ Suruchi Devi have also been granted anticipatory bail by this Hon'ble Court vide order dated 24.04.2017 passed in Cr.Misc. no. 12967 of 2017. As per statement made in para 3 of the petition, petitioner has no criminal antecedent.

In view of the fact that similarly situated other co-accused have already been granted bail as mentioned above, I am inclined to release the petitioner, in the event of his arrest or surrender within four weeks from the date of receipt/ production of a copy of this order, on bail on his furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Patna or concerned Court in Gandhimaidan PS case no. 118 of 2016 subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Upadhyay, J.)

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