

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9147 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -AGHORA District- BHABHUA (KAIMUR)

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1. Surendra Singh, Son of Bechu Singh, Resident of Village Nevarus, P.S. Adhaura, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasadd. (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection with Adhaura P.S. Case No. 52 of 2016, registered for the offences punishable under Sections 409, 420 of the Indian Penal Code.

Allegedly, the petitioner being headmaster withdrew Rs. 7,98,000/- for construction of the room in the school, but did not construct the room and misappropriated the government amount.

Submission is of false implication and that the petitioner is ready either to complete the work or to return the amount, there was no intention to grab the government amount



and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that inspite of several directions the petitioner did not return the amount nor he started the work.

In the facts and circumstances as stated above, considering that **as the petitioner is ready to return the said amount and, as such, the petitioner is directed to return the said amount of Rs. 7,98,000/- at once** then in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class Bhabua, Kaimur, in connection with Adhoura P.S. Case No. 52 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

In case the petitioner fails to deposit the said amount he will not be granted bail.

(Jitendra Mohan Sharma, J)

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