

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34821 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -GHOGHARDIHA District- MADHUBANI

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1. Ramashish Yadav, Son of Late Jai Kishun Yadav, R/o Vill.- Pivojgarh,
P.S.- Ghogherdiha, Distt.- Madhubani.

2. Shashi Yadav @ Shashi Kumar @ Sushil Kumar @ Sushil Yadav, Son
of Sri Ramchandra Yadav, R/o Vill.- Vikaram Rahi, P.S.- Ghogherdiha,
Distt.- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 11-08-2017 Heard both sides.

The petitioners apprehend their arrest in Ghogherdiha
P.S. Case No. 24 of 2017 registered for the offences punishable
under Sections 406, 409, 420 and 34 of the Indian Penal Code.

The informant alleged that the petitioner being the in-
charge headmaster withdrew Rs. 5,34,000/- for construction of
school building but construction of worth Rs. 3,41,991/- was done.
The petitioner defalcated Rs. 1,92,009/-.

Learned counsel for the petitioner submits that there
is no allegation against petitioner no. 2 who is Secretary of the
school. The petitioner no. 1 has already deposited Rs. 1,92,009/-



as the same would appear from Annexure -3 the letter of District Programme Officer, Primary Education and Sarva Shiksha Abhiyaan.

Considering the facts aforesaid and the fact that the petitioner no. 1 has already deposited the amount, the petitioners above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Jhanjharpur (Madhubani) in Ghogherdiha P.S. Case No. 24 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

KKSINHA/-

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