

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51645 of 2016

Arising Out of PS.Case No. -19 Year- 2012 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Raj Mangal Mahto, S/o Late Bhutta Mahto, R/o Village- Pipra Ragho,
P.S. Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-01-2017

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks bail in Sahebganj P.S. Case
No.19 of 2012 instituted for the offence under Section(s) 406, 409,
420, 467, 468/34 Indian Penal Code.

It is alleged that SDO (West), Muzaffarpur, got
confidential information that Laxmi Kanti Rai, husband of
Mukhiya Kabutri Devi is distributing ₹300/- in place of ₹600/- as
scholarship amount of SC/ST students and in this way he
committed misappropriation of the money. It is mentioned in the
written report that the statement of class III students, namely,
Rupa Kumar, Shilpi Kumari, Kaushalya Kumari, along with other
witnesses and this petitioner, who was the Headmaster of the



school, was recorded, who all supported the aforesaid allegation before the police.

It is submitted that the petitioner is not named in the First Information Report. The money was being distributed by Laxmi Kant Rai, husband of Mukhiya Kabutri Devi and Panchayat Secretary, namely, Ram Sagar Singh. The petitioner, who is the Headmaster, has no role in distribution of scholarship money. The police during investigation instead of taking action against the real culprit arrested the petitioner and submitted charge-sheet against him. The petitioner is in custody since 17.10.2016.

In the circumstances, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, West, Muzaffarpur, in connection with Sahebganj P.S. Case No.19 of 2012, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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