

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38214 of 2017

Arising Out of PS.Case No. -217 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Pramod Kumar, son of Sri Balmukund Pandey, resident of village Chabar,
P.S. Tankuppa, District Gaya, presently posted as Headmaster, Primary
School, Debra, Tankuppa, Gaya. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.

Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 11-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Wazirganj (Tankuppa)
P.S. Case No. 217 of 2016 registered under Section 409 and 420 of
the Indian Penal Code.

As per the prosecution case, the petitioner happens
to be the Headmaster of a Primary School. He is said to have
been accorded Rs.12,43,250.00 for carrying out the construction
work in the school. Out of the said money, he had spent
Rs.7,39,796.00 but defalcated Rs.5,03,454.00.

It is submitted by learned counsel for the petitioner
that out of Rs.5,03,454.00 he has given Rs.3,90,000.00 to Guru
Kripa Cement Store for purchasing building material but the said
firm did not supply the building material, for which he has filed a



case being Wazirganj P.S. Case No.279 of 2013 in which chargesheet has been submitted against him. The petitioner is ready to deposit Rs.1,13,454.00. The petitioner has been languishing in custody since 03.06.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail provisionally for a period of one month on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.1st, Gaya in connection with Wazirganj (Tankuppa) P.S. Case No.217 of 2016. The petitioner shall deposit Rs.1,13,454.00 within a period of one month before the learned Court below and thereafter his bail shall be confirmed by the learned lower court.

(Prakash Chandra Jaiswal, J)

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