

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22189 of 2018

Arising Out of PS. Case No.-57 Year-2016 Thana- KHIJARSARAI District- Gaya

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Shashi Bhushan Kumar S/o Late Narsingh Narayan Resident of Village-
Chiraili P.S. Khizersarai District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
30.01.2018 in connection with Khizersarai P.S. Case No. 57 of
2016 for offences punishable under Sections 409/420 of the
Indian Penal Code.

The prosecution case, as lodged by the Block
Development Officer, Khizersarai, is that the petitioner, who
was the Headmaster of Kutlupur Block Middle School, was
given a sum of Rs. 12,81,000/- for construction of school rooms,
boundary and kitchen, but he has not accounted for Rs.
4,63,337/- and is alleged to have embezzled the said amount.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history,



construction is still in progress and final accounting has not yet been done for which he refers to an order of this Court dated 23.03.2018, passed in C.W.J.C. No. 1944 of 2018 by which petitioner was directed to furnish all the measurements and accounts to the District Programme Officer, Pipra Kothi, Gaya. He submits that there is no embezzlement and final accounting has not yet been done, hence, charges levelled against the petitioner is misplaced. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses and he is ready to furnish all accounts relating to construction work.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Addl. Chief Judicial Magistrate-VII, Gaya, in connection with Khizersarai P.S. Case No. 57 of 2016.

Rajesh/-

(Nilu Agrawal, J)

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