

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35418 of 2018

Arising Out of PS. Case No.-27 Year-2016 Thana- ANDHRAMATH District- Madhubani

Sita Ram Singh Son of late Ganeshi Prasad Singh Resident of Village-
Dudhaila Kukur Doura, Police Station Andharamath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and State.

The petitioner is in custody since 24.12.2017 in connection with Andharamath P.S. Case No. 27 of 2016 for the offence under Sections 406, 409 and 420/32 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has no criminal antecedent. He further submits that in connection with Sarva Shiksha Avhiyan a sum of Rs. 8,71, 000/- is alleged to have been misappropriated by the petitioner. Learned counsel submits that petitioner is in custody since 27.12.2017. He submits that at the relevant time petitioner finished the construction of three additional class rooms of school in question and 75 per cent of the construction of three additional class rooms has been completed.



Considering the aforesaid facts and circumstances indicated above that the present is a case of accounting after due measurement, the authority of the department is required to undertake measurement afresh thereafter, determine the liability of the petitioner. It goes without saying that fresh determined liability would be worked out on fresh measurement of construction including the construction materials at the site by the authorities. In view above, let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with Andhramath P.S. Case No. 27 of 2016 with the condition that after measurement of work and construction material at site authority will raise demand for payment of determined amount and / or may take step for realization from amount payable to the petitioner.

(Anil Kumar Upadhyay, J)

banti/-T.Kr.

U		T	
---	--	---	--

