

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60198 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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Dasrath Paswan, Son of Late Ram Kishun Paswan, resident of
Village+P.O.- Uttarnawan, P.S.- Rahui, Distt- Nalanda- 803119.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Abhimanyu Vatsa

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 10-01-2018 Heard the learned counsel for the petitioner and the learned
APP for the State.

This is an application for grant of anticipatory bail in
connection with Asthawan (Nalanda) P.S. Case No. 103 of 2016
registered for the offence punishable under Sections 409 and 420
of the Indian Penal Code.

The allegation is regarding defalcation of a sum of Rs.
1,39,320/- of the government fund by the petitioner who was the
then Head Master of the Ideal Middle School Mahamadpur,
Asthawan. It is alleged that though a sum of Rs. 7,75,870/- was
allotted for construction of two additional class room and the
principal office, the defalcation is to the extent of the aforesaid
amount.

The learned counsel for the petitioner submits that the petitioner
is a retired Headmaster and during the course of departmental enquiry,
it has been directed to recover a sum of Rs. 1,39,320/- from the



pensionary benefits of the petitioner, hence no prejudice will be caused to the prosecution if the petitioner is enlarged on anticipatory bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learnedACJM-VI, Bihar Sharif in connection with Asthawan (Nalanda) P.S. Case No. 103 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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