

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63696 of 2018

Arising Out of PS. Case No.-152 Year-2018 Thana- SAHAR District- Bhojpur

Nathuni Ram S/o- Late Munshi Ram Resident of Village- Lasarhi (Azadnagar Tola), P.S. Agiaon, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Has Mishra-Advocate

For the Opposite Party/s : Mr. Yogendra Kumar-A.P.P.

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Petitioner while was Principal of a Middle School, was entrusted with money appertaining to Rs.5,70,000/- in order to construct three rooms of the school by the department. In likewise manner, one Vidya Bhushan Chaudhary was provided Rs.6,92,000/- for the same purpose at different place, out of which, the work so done at his end appertaining to Rs.4,89,247/- and so, Rs.2,02,753/- still remains due.

On query, learned counsel for the petitioner has submitted that he is ready to deposit, but in instalment. Learned Additional Public Prosecutor do concede that State Exchequer, which has been digested at the end of the petitioner would be returned back.



Petitioner would deposit Rs.50,000/- (fifty thousand) per month and the first instalment should be deposited on the day of surrendering of the petitioner within eight weeks from today, failing which the order impugned will evaporate and further, on that very condition, petitioner, **Nathuni Ram**, in the event of arrest or surrender is granted provisional bail till saturation of the amount, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-10th, Ara in connection with Sahar P.S. Case No.152 of 2018, subject to condition as laid down under Section 438 (2) of the Cr.P.C. Rest amount be deposited on monthly basis. Further, having been failed to deposit single instalment will deprive the petitioner to enjoy the privilege.

(Aditya Kumar Trivedi, J)

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