

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15562 of 2018

Arising Out of PS. Case No.-82 Year-2011 Thana- OBRA District- Aurangabad

Devendra Kumar Son of late Ram Pati Singh Resident of Village-Pilchhi,
Police Station- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018 Heard the learned counsels for the petitioners
and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Obra P.S. Case No. 82 of 2011 dated 27.05.2011 instituted for the offence under Section 409 of the Indian Penal Code.

From the FIR, it appears that all those principals of Government Schools who had not furnished the AC/DC bills with respect to investments made by them with regard to construction of wall and repair of the school have been sought to be prosecuted.

The name of the petitioner falls in Column 42 of the chart referred to in the FIR and it has been shown that at the relevant time he was principal of Primary School Kaithi and had withdrawn money for which no AC



or DC bill as alleged was furnished. It appears that merely because of non-furnishing of the aforesaid bills, a suspicion has been raised that the money perhaps has been misappropriated.

Learned counsel for the petitioner however has submitted that he has wrongly been named in the FIR and has been shown as Principal of Primary School Kaithi. The petitioner in fact, was in-charge principal of Government Middle School, Kaithi where he had taken charge because of the superannuation of the regular headmaster. The petitioner has now retired and had nothing to do with the investments made in the Government Primary School of Kaithi.

Considering the nature of accusation and the submissions made on behalf of the petitioner, especially that he has superannuated from service, this Court is inclined to grant anticipatory bail to him.

The petitioner above named is directed to be released in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with



Obra P.S. Case No. 82 of 2011, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

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

