

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24138 of 2018

Arising Out of PS.Case No. -502 Year- 2017 Thana -BANKA District- BANKA

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1. Anil Kumar, Son of Late Rameshwar Prasad Mandal, Resident of Village- Makdumma, Police Station- Amarpur, District- Banka at present Incharge Head Master N.P.S. School Baghitari, Police Station- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Sinha -2

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Banka P.S.Case nO.502 of 2017 registered for offences punishable under Sections 420/409 of the Indian Penal Code.

Allegation against the petitioner is of defalcation and misappropriate of the government fund of Rs.4,67,367/- as Rs.8,53,000/- had been allotted to him for construction of work in the school and he has done the work to the value of Rs.3,85,623/0 only.

Submission of the learned counsel for the petitioner is that earlier show cause had been asked for from the petitioner, from which it appears that the work has been made and he has filed



show cause. He has worked up to linter level and very few work has been left.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that this case is of defalcation of Rs.4,67,000/- and odd.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and on his surrender he will be released on bail till submission of the charge sheet with condition that he has to co-operate in the investigation and he has to appear before the police as and when required and once the charge sheet is submitted and the case is found true against him, he has to surrender and make prayer for regular bail, which will be considered on its own merit.

With the aforesaid direction, this application is disposed of .

(Vinod Kumar Sinha, J)

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