

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15649 of 2018

Arising Out of PS.Case No. -102 Year- 2011 Thana -NABINAGAR District- AURANGABAD

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1. Prabhu Chouhan, S/o Late Sitaram Chouhan, resident of Village-
Makhdumpur, P.S.- Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Nabinagar P.S. Case No. 102/2011 dated 29.05.2011 instituted for the offence under Section 420/34 of the Indian Penal Code.

The petitioner, in his capacity as Headmaster of Primary School, Singhpur, is alleged to have withheld for the AC/DC Bill utilization of the amount which was remitted to the account of the School.

The learned advocate appearing for the petitioner has submitted that the amount of Rs. 40,000/- which is said to have been remitted to the School account for the purposes of renovation of the school building was never received in the school. In fact, the cheque which was prepared was later cancelled.



In support of the aforesaid contention, it has been submitted that the District Programme Officer, Aurangabad vide his letter dated 23.02.2018 had also issued no dues certificate against the petitioner.

It appears, it has been argued, that the case has been lodged in haste without verifying the records.

Considering the aforesaid facts and the nature of accusation against the petitioner, he is directed to be released on bail, in the event of his 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 bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No. 102/2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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