

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27650 of 2018

Arising Out of PS.Case No. -353 Year- 2016 Thana -MANER District- PATNA

=====

1. SURENDRA KUMAR, S/o Late Shri Bhagwan Yadav, Resident of Village Daulatpur, P.S. Bihta, District Patna, Presently posted at Primary School, Mohanpur, Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Maner P.S.Case nO.353 of 2016 , registered for offences punishable under Sections 420 and 409 of the Indian Penal Code.

Allegation against the petitioner who happens to be the Headmaster of Hathi Tola School is that an allotment of Rs.07 lac and odd was given to the School for construction of three class rooms in the year, 2010-11 but the work has not been completed up-till-now as such the present case has been lodged.

Submission of the learned counsel for the petitioner is that in the financial year concerned, he was there for eight months and thereafter he has been transferred and the work up-till roof level has already been completed, which will appear from FIR and Rs.1,83,000/- is still deposited in the account of the school and the



materials of Rs.80,000/- is there and he is ready to pay back the amount.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the 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 on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Sandeep Kumar, J.M. 1st Class, Danapur in connection with Maner P.S.Case No.353 of 2016 dated 11.8.2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

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

