

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28022 of 2018

Arising Out of PS.Case No. -190 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Md. Ehrar Alam S/o Abdul Qayum Nadaf, R/o Vill.- Bishapur Gonahi,
P.S.- Sonebarsa, District- Sitamarhi, presently posted as Headmaster,
Primary School, Bhagwanpur Harijan Tola, P.S. and Block- Bathnaha,
District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2018 The petitioner is apprehending his arrest in connection

with Bathnaha P.S. Case No. 190 of 2017, registered for offences

punishable under Sections 406, 409 and 420 of the Indian Penal

Code.

Petitioner is headmaster and allegation against him that

he defalcated an amount of Rs. Thirteen Lakhs and odd, which

was mean for construction of class rooms.

It has been submitted on behalf of the petitioner that

since the sand was not available the construction work of the

school rooms has been stopped for some time, however, now the

construction work has completed and plaster work is going on and

in this regard learned counsel for the petitioner referred annexure -



4, which is a letter issued under the signature of District Programme Officer, Sitamarhi showing that casting of roof has been done and plaster work is going on.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as well as in view of annexure -4, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi, in connection with Bathnaha P.S. Case No. 190 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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