

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30081 of 2018

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

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Nayana Nand Dubey, s/o late Alakhdeo Dubey, R/o Vill. Agni, P.S.- Obra,
District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 22-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nabinagar P.S.**

Case No. 102 of 2011 instituted for the offence under Sections 420/34
of the Indian Penal Code.

The prosecution case is that 68 Headmaster of different
schools have not deposited AC/DC bill.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. His name has come during
investigation as he was posted in the Primary School Rajwaria Kala till
11.04.2008. It has further been submitted that this petitioner while
being posted in the aforesaid school, was allotted work of construction
under ACR O4 Scheme in the financial year 2006-2007. The aforesaid
construction work has been completed by the petitioner and thereafter
he was transferred. The certificate has been issued by the concerned



Department regarding completion of work vide letter dated 17.6.2014 issued under signature of DPO, Aurangabad, copy of which, has been enclosed as Annexure-2 & 2/1.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Nabinagar P.S. Case No. 102 of 2011**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Aurangabad**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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