

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.61835 of 2017**

Arising Out of PS.Case No. -19 Year- 2016 Thana -NARHAT District- NAWADA

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1. Vivekanand S/o Anandi Mistry, R/o Village/Mohalla- Kazipura, P.S.- Narhat, District- Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      05-01-2018                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Narhat P. S. Case No. 19 of 2016 registered for offences punishable under Sections 406, 409 and 353/34 of the Indian Penal Code.

The allegation is regarding defalcation of Rs 01, 54, 802/- meant for construction of the scheme of 4 ACR (stair) for the year 2006-07 by the Secretary of the school, i.e. the petitioner and the Ex Head Master of the school, namely, Ramawatar Prasad Singh.

From the impugned order dated 12.10.2017, it would appear that the said co-accused, Ramawatar Prasad Singh was



granted provisional bail with a direction to complete the construction and subsequently, after completion of work provisional bail of the co-accused namely, Ramawatar Prasad Singh has been confirmed by the learned Court below vide order dated 11.09.2017.

Considering the facts and circumstances of the case, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest/surrender within six weeks from today before the learned court below, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand )with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Nawada in connection with Narhat P.S.CASE No. 19 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. with further conditions

**(Mohit Kumar Shah, J)**

Sudha/-

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