

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55887 of 2017

Arising Out of PS. Case No.-54 Year-2017 Thana- GOH District- Aurangabad

Sanjay Kumar, S/o Ramjanam Prasad, Resident of Village- Mayapur, P.S.-
Goh, District- Aurangabad. Petitioner

Versus

The State of Bihar. Opposite Party

with

Criminal Miscellaneous No. 56219 of 2017

Arising Out of PS. Case No.-54 Year-2017 Thana- GOH District- Aurangabad

Ravi Shankar, Son of Surendra Sharma, Resident of Village-Malhad, P.S.-
Bandaya, Block-Goh, District-Aurangabad. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

(In Criminal Miscellaneous No. 55887 of 2017)

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. SRI PARMANAND KUMAR

(In Criminal Miscellaneous No. 56219 of 2017)

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. SMT INDU KUMARI SRIVASTAVA

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 15-01-2018 Above noted applications have arisen out of one occurrence i.e. Goh P. S. Case No. 54 of 2017 registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code and as such they have been heard together and are being disposed of by this common order.

Allegedly, several headmasters of different schools misappropriated the amount of scholarship allocated to the schools to distribute amongst the students in the year 2015-16 in collusion and conspiracy with other co-accused.

Submission is of false implication and that no guidelines



was issued to the petitioners from any quarter that the amount has to be credited into the account of students through RTGS, hence, as usual the amount was distributed in cash and at best this can be said to be a mistake but not misappropriation of funds. The beneficiaries are ready to support that they have got the scholarship amount and as such the petitioners deserve sympathetic consideration as in this case other several co-accused have been allowed pre-arrest bail.

Learned APP opposes the prayer of pre-arrest bail but fairly submits that other co-accused have been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioners above named of both the cases, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Goh P. S. Case No. 54 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

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