

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54729 of 2017

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

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Rajeev Ranjan @ Rajiv Ranjan, Son of Sri Prahalad Sharma, resident of Village- Bazar Verma, P.S. Goh, District Aurangabad, presently working as In-charge Headmaster, Upgraded Middle School, Bazar Verma, Police Station Goh, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Akhileshwar Pd. Singh, Sr. Advocate.
Mr. Prabhu Narayan Sharma

For the Opposite Party : Mr. Kumar Ranjit Ranjan, APP.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 18-01-2018 Heard the learned counsels for the petitioner and the State.

The petitioner seeks pre-arrest bail in connection with Goh P.S. Case No. 54 of 2017 dated 15.05.2017 instituted for the offences under Sections 409 and 420 of the Indian Penal Code.

One Manju Kumari and 93 others have been made accused of the subject FIR with the allegation that the second installment of the scholarship money which was transmitted in various middle schools have not been paid to the proposed beneficiaries. This irregularity could be unearthed only later.

The petitioner happens to be one of the principals of the Government Middle School, Goh where also some amount of



money to be paid to the students as scholarship had been transmitted but the same has not been paid to the students.

Mr. Akhileshwar Prasad Singh, the learned senior advocate has submitted that the petitioner is one amongst the 93 unnamed persons of the FIR. The accusation, in sum and substance is that the amount of scholarship had been misappropriated between the BEO and other functionaries of the education department in conspiracy with the headmaster of the various schools. It has further been submitted on behalf of the petitioner that no details have been provided as to what amount has been defalcated by the petitioner or by others. The witnesses who have supported the prosecution case during the course of investigation have only said that the money which had to be paid to the persons concerned has been embezzled. However, there is no definite proof, till date, of the fact that the money was misappropriated by the petitioner in his capacity as headmaster of the school. A letter also appears to have been addressed to the District Magistrate, Aurangabad by the petitioner bringing on record that the money which was to be given to the beneficiaries have been given.

Learned counsel for the petitioner has drawn attention of this Court to the fact that Manju Kumari, the main



accused of the case has been granted anticipatory bail by order dated 27.11.2017 passed in Cr. Misc. No. 55170 of 2017. Similarly, another in-charge headmaster of a government middle school having similar allegation against him has also been granted anticipatory bail on 12.12.2017 passed in Cr. Misc. No. 51608 of 2017.

For the facts stated above, the petitioner above named, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Aurangabad in connection with Goh P.S. Case No. 54 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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