

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24896 of 2018

Arising Out of PS.Case No. -270 Year- 2014 Thana -KATEYA District- GOPALGANJ

- =====
1. Binay Kumar Pandey @ Vinay Kumar Pandey, Son of Late Hridaya Nand Pandey, Resident of Village- Belwa Methiya, P.S.- Kuchaikot, District- Gopalganj.
 2. Tej Narayan Mishra, Son of Pankhi Mishra, Resident of Village- Weili, Dasaudhi, P.S.- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Kateya P.S.Case no.270 of 2014 , registered for offences punishable under Sections 406, 409 and 34 of the Indian Penal Code.

Allegation against the petitioners who happen to be the Headmaster and the Secretary of the School is that they have defalcated the amount allotted for construction of the additional room.

Submission of the learned counsel for the petitioners is that they have completed the work and No Dues Certificate has also been given by the District Education Officer and copy of the same has been given to the Officer Incharge also , which will appear



from Annexure-4 of the Supplementary Affidavit.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Kateya P.S.Case no.270 of 2014 , subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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