

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42066 of 2018

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

Birendra Sharma son of Ramdaheen Sharma, Resident of Village- Dhanaw,
Police Station- Nabinagar, District- Aurangabad, at present posted as Assistant
Teacher, Primary School Baruna, Nabinagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sri Murlidhar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-07-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Nabingagar P.S. Case No. 102
of 2011 dated 29.05.2011 instituted for the offences
under Sections 420 and 34 of the Indian Penal Code.

The petitioner being the headmaster of a
Government Middle School, Baruna, Aurangabad has
been made accused for not refunding the amount under
the AC/DC bill, which is a violation of the departmental
rules.

Though the petitioner, it has been submitted,
has been charged in a general manner along with many
other headmasters but with respect to the petitioner, no
details have been provided about the money which was



to be refunded and which has not been refunded. Learned counsel for the petitioner has further informed this Court that on 19.01.2016, whatever was refundable at the end of the petitioner has been deposited and this fact has been verified by the functionaries of the department. Under similar circumstances many other headmasters have been granted anticipatory bail.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No. 102 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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