

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43743 of 2018

Arising Out of PS. Case No.-183 Year-2017 Thana- SASARAM NAGAR District- Rohtas

Sanoj Kumar Sharma @ Santosh Kumar Sharma, S/o- Shiv Kumar Sharma,
R/o Vill. & P.O. & P.S.- Chenari, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rameshwar Singh, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-07-2018

Heard learned counsels for the petitioner and State.

The petitioners is apprehending arrest in a case registered for the offences punishable under Sections 409, 420, 467 and 468/34 of the IPC.

The prosecution case, as per the written report of Shanti Bhushan Kumar Arya, the District Welfare Officer, Rohtas, dated 18.02.2017, submitted to the Station House Officer, Sasaram(M) Police Station is to the effect that in the financial year 2014-15, the District Welfare Officer, Rohtas provided the scholarship to the tune of Rs. 5,50,800/- allocated to the Gangotri Project Girls High School, Chenari for distribution of the same to the pre-Matric students. The said amount was transferred to the Headmaster of the school in question. During enquiry, it was found that instead of Rs. 1800/- per student, payment was made



at the rate of Rs. 900/- per student. It is further alleged that the In-Charge Headmaster of the school took the signature fraudulently of the students at the distribution register. The students of the school admitted that they did not receive the scholarship amount.

It is submitted by learned counsel for the petitioner that thrust of accusation is against the Headmaster of the school in question and the petitioner has no authority to receive the amount. The petitioner is simply a co-villager in the village, where the school is situated. The said amount was entrusted to the Headmaster of the school and on such ground, other co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 57123 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the thrust of accusation is against the headmasters of the school in question and other co-accused persons have been granted anticipatory bail by a co-ordinate bench of this Court, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having



any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Sasaram (Model) P.S. Case No.183 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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