

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2538 of 2018

Arising Out of PS.Case No. -13 Year- 2016 Thana -BENIPATTI District- MADHUBANI

=====

Ram Babu Yadav, S/o Late Ram Briksha, R/o Village- Agropatti, P.S.-
Benipatti, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha, Advocate.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Benipatti P.S.**

Case No. 13 of 2016, G.R. No. 55 of 2016 instituted for the
offence under Sections 409 and 420/34 of the Indian Penal Code.

It has been submitted that First Information Report
has been lodged against Headmaster and Secretary of the school
namely, Amarnath Singh and Pushpa Devi. This petitioner is not
named in the written report but during investigation, in the
supervision note of SDPO, the name of this petitioner has surfaced
alleging that he supplied substandard material for construction of
the building. It has further been submitted that petitioner has
merely supplied the articles for which he has received payment
from the In-charge Headmaster of the school. He has no role in



misappropriation of money.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Benipatti P.S. Case No. 13 of 2016 (G.R. No. 55 of 2016)**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Benipatti**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

