

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23515 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -MAIRWA District- SIWAN

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1. Moti Lal Harijan S/o Late Sukhnandan Ram, R/o Vill.- Chain Chhapra,
P.S.- Guthani, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Smt. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

6 13-07-2018 Heard both sides.

The petitioner apprehends his arrest in Mairwa P.S.
Case No.06 of 2018 registered under Sections 406 and 409/34 of
the Indian Penal Code.

The Block Education Officer, Mairwa, the informant
of this case, alleged that the petitioner withdrew Rs.50,28,658/- in
the financial year 2014-15 for construction of 18 additional
classrooms but the petitioner being the headmaster of the school
did the work of Rs.25,27,040/-. Petitioner is alleged to have
misappropriated Rs. 25, 01,218/-.

The learned counsel for the petitioner submits that the
petitioner retired on 31.12.2015. The F.I.R. was lodged in the year
2018. The petitioner is ready to return the entire amount. It is



further submitted that the petitioner has finished substantial work but it appears that a report was called for from present headmaster of the school on 20.04.2018. The in-charge headmaster of the school sent her detailed report and reported that the petitioner did the works worth Rs.25,27,040/- only and petitioner misappropriated more than Rs.25 lacs.

Taking into consideration the facts that the petitioner being headmaster of the school withdrew more than Rs.50 lacs for construction of 18 additional classrooms building but he did only incomplete works and misappropriated more than Rs.25 lacs in the financial year 2014-15, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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