

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11039 of 2018

Arising Out of PS.Case No. -125 Year- 2017 Thana -MARKAHI District- KHAGARIA

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1. Sri Santosh Kumar @ Santosh Kumar S/o Bindeshwari Singh, R/o
Village- Khairi, Post Office Sonmankhi, P.S.- Morkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-04-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 406, 409 of the
Indian Penal Code.

Petitioner was Incharge Headmaster.
Allegation is that he did not complete the construction of
school building and embezzled the public money.

Submission is that it has come during
investigation that the criminal associates obstructed in
construction of the school building and that's why the work
could not be completed. In the meantime, FIR has been
lodged. Petitioner is ready to complete the rest of the
construction work or settle the account with the Govt. within



nine months from the date of his provisional release on bail.

Considering the undertaking of the petitioner, let the petitioner, above named, be released on **provisional bail for a period of nine months from the date of release** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khagaria (Morkahi) Police Station Case No.125 of 2017. The provisional bail shall be confirmed only after production of a certificate from the competent authority that construction work has already been completed and further the petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the provisional bail and take the petitioner in custody.

(Birendra Kumar, J)

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