

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54929 of 2017

Arising Out of PS.Case No. -390 Year- 2017 Thana -AMARPUR District- BANKA

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Arbind Rabidas, son of Shiv Shankar Rabidas, resident of Babhangama,
P.S. Barahat, in the District of Banka, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Amarpur (Fullidumar) P.S. Case No. 390 of 2017** instituted for the offence under Sections 406 and 409/34 of the Indian Penal Code.

The allegation against the petitioner is that in the year 2009-10, Rs.7,30,000/- has been made advance to the petitioner who was Headmaster of the school. He withdrew the amount and stopped construction work after casting roof of the school. It is further alleged that in the year 2014-15, Rs.8,53,000/- was sanctioned for construction of other building and the said amount was also withdrawn by the petitioner, but construction work has not been started. It is further alleged that after casting of roof Rs.3,43,424/- for construction of first building and Rs.8,53,000/-



for construction of another building was withdrawn by the petitioner. The petitioner has defalcated total sum of Rs.11,96,424/-.

Report was called for from the Headmaster of the concerned school about present status of the construction work which has been received. In the report it is mentioned that the allotment was made in the year 2009-10. The construction upto roof level has only been made. The further allotment was made in the year 2014-15 for two Additional Class rooms, but the construction work has not even been started by the petitioner.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

S.Ali/-

(Sanjay Priya, J)

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