

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52464 of 2018

Arising Out of PS.Case No. -195 Year- 2018 Thana -JAGDIHSPUR District- BHOJPUR

NIRMAL KUMAR RAM @ NIRMAL KUMAR, Son of Jalim Ram, Resident of Village- Majhupur, P.S. Jagdishpur, District- Bhojpur, At present Headmaster, Utkramit Madhya Vidyalay, Dumra Tola, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 420, 406 and 409 of the IPC.

The prosecution story, in brief, is that the informant in his Letter No. 255/2018 addressed to S.H.O. Jagdishpur, stated that the District Programme Officer and the District Magistrate have allotted money to work in several schools but the money Rs. 10,10,000/- has been defalcated by the petitioner being the Principal of the Uchya Vidyalay, Jagdishpur P.S.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. There is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner was the Headmaster of the school in question where construction work was to be made. It is further submitted that the petitioner is ready to deposit an amount of Rs. 3,62,000/- (Rupees Three Lacs Sixty Two Thousand Only) in the court below which may be subject to final disposal of the case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the submission made on behalf of the petitioner, the petitioner is directed to deposit an amount of Rs. 3,62,000/- (Rupees Three Lacs Sixty Two Thousand Only) in the court below which shall be subject to final disposal of the case. On doing so, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Bhojpur at Ara, in connection with Jagdishpur P.S. Case No. 195 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

