

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4414 of 2018

Arising Out of PS.Case No. -165 Year- 2016 Thana -BABUBARHI District- MADHUBANI

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Nirmal Ram, Son of Late Deo Narayan Ram, Resident of Village-Sonmatti,
P.S. Babubarhi, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner is seeking regular bail in Babubarhi P.S.
Case No. 165/2016 registered under Sections 409, 419 and 420 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a teacher of the Primary School. Allegation against
this petitioner is that he had received Rs. 4,00,000/- for
construction of the school building but the building was not
constructed. An F.I.R. was lodged at the instance of the District
Programme Officer because the advance amount received by the
petitioner was not adjusted. Learned counsel submits that in fact
the school building was under construction and the work was still
going on, however, whatever is the work due is likely to be done



from the amount advanced to him. He undertakes to complete the said work and submit a report in this regard to the concerned authority but that may be possible only when he is released on bail.

Learned A.P.P. representing the State is present.

In the facts and circumstances, let the petitioner, named above, be released on bail on his furnishing bail bonds of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Madhubani in Babubarhi P.S. Case No. 165/2016, subject to the conditions as laid down under Section 437(3) Cr.P.C. and that the petitioner will, after his release, get completed the work to the extent he has received the advance amount and shall submit the adjustment bills to the competent authority. If the authority would have a complaint regarding non-completion of the work against the amount received by the petitioner, they would be free to file an application for cancellation of bail of the petitioner.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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