

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27773 of 2018

Arising Out of PS.Case No. -277 Year- 2017 Thana -CIVIL LINE District- GAYA

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1. Umesh Prasad, Son of Late Mithilesh Prasad, Resident mohalla- Shashtri Nagar, Police Station- Gumla, District- Gumla, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Gaya Civil Lines P.S.Case no.277 of 2017 , registered for offences punishable under Sections 420, 406, 409 and 34 of the Indian Penal Code.

The matter relates to defalcation in the scholarship granted to the S.C. and S.T. candidates up to the tune of Rs.76 lac and further allegation is that the petitioner and other accused persons have issued cheque in favour of four institutions as such defalcated huge amount in the name of the scholarship.

Submission of the learned counsel for the petitioner is that he has detected the scam and enquiry was conducted by him but he has also been made accused in his case.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Gaya Civil Lines P.S.Case no.277 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.
- (iv) It is also made clear that if any serious incriminating materials comes against the petitioner during the investigation, the prosecution is at liberty to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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