

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33298 of 2018

Arising Out of PS. Case No.-16 Year-2017 Thana- SARSI District- Purnia

Manoj Kumar son of Late Durga Prasad Yadav R/o Village Sarswati, P.S. -
Sarsi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Sarsi P.S. case no. 16
of 2017 instituted for the offence under Section(s) 409 and 420
of the Indian Penal Code.

It is alleged in the written report that this petitioner who
was Teacher in Middle School, Terasi Tolla had taken an
advance of Rs. 8 lacs for construction of School building
during financial year 2009-2010. But he completed the work
amounting to Rs. 2,86,468/- only and misappropriated the
remaining amount.

A report was called from the District Programme Officer,
Purnia as well as the present Headmaster of the School
whether the work has been completed by the petitioner as



claimed by him vide Annexure-2.

The report of District Programme Officer, Purnia has been received wherein it is mentioned that construction work of School in- question have already been completed.

Learned APP for the State after looking into the case diary has submitted that in para 73 of the case diary it has come that construction work of the School has been completed.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Sarsi P.S. case no. 16 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Purnia subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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