

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13045 of 2018

Arising Out of PS.Case No. -494 Year- 2017 Thana -BRAHMPUR District- BUXAR

=====

1. Madan Ram S/o Late Bansharopan Ram, Resident of Village-Jamuni Dihra, P.O.- Manikpur, P.S.-Rajpur, District-Buxar, at Present Suspended In Charge Headmaster, Middle School, Arak Chakki, Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harendra Kumar Tiwary

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Brahmpur P.S.Case nO.494 of 2017 registered for offences punishable under Sections 409 and 420 of the Indian Penal Code.

Petitioner is the incharge Headmaster and allegation against him is that in the Mid Day Meal Scheme he had shown admission of 600 boys but in the register there were only 369 boys, out of which only 150 were present, as such he had defalcated the scheme.

Submission of the learned counsel for the petitioner is that the registration of boys was not verified and without verification the same it can not be alleged that only 369 boys were registered and later on when the next headmaster joined and he had shown



registration of 742 boys.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let ht petitioner surrender within a period of four weeks from the date of receipt of the order and on his surrender he shall be released on provisional bail till submission of the charge-sheet, and once the case is found true against him and the charge-sheet has been submitted, he has to surrender and make prayer for regular bail, which will be considered on the basis of materials available at that time.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

