

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4623 of 2018

Arising Out of PS.Case No. -203 Year- 2017 Thana -JANKINAGAR District- PURNIA

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1. Sri Ajit Kumar Suman @ Ajit Kumar Suman S/o Late Bhumi Rajaka ,
R/o Village- Rajghat Garrel, P.S.- Dhamdaha, District- Purnea. At present
Block teacher Middle School Ithari, P.S.- Jankinagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Jankinagar P.S. Case No. 203/2017 dated 18.11.2017 instituted for the offences under Sections 409 and 420 of the Indian Penal Code.

The petitioner is the In-charge Headmaster, Primary School, Damgara Yadav Tol, Mirchaibari, who was entrusted with the task of construction of a school building and for which he had taken an advance of Rs. 10,96,200/-. Despite his having undertaken/promised to complete the construction work by 27.03.2017, the work has yet not been completed. The petitioner is also alleged to have held back the Mid Day Meal Register and misappropriated money which was allotted to the school for the



distribution of dress and scholarship to the students.

Learned counsel for the petitioner has submitted that it is not alleged in the F.I.R. that the money has been defalcated/embezzled by the petitioner. The only allegation against the petitioner is of having committed delay in finally completing the construction work of the school. It has further been submitted that the work is almost on the stage of completion and the finishing could not be done because of the illegal demands of local people. The petitioner undertakes to complete the entire construction work, which was entrusted to him, within a period of four months from today.

Considering the aforesaid facts and the undertaking of the petitioner, he is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Purnea in connection with Jankinagar P.S. Case No. 203/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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