

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46938 of 2018

Arising Out of PS.Case No. -176 Year- 2018 Thana -BRAHMPUR District- BUXAR

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1. Sri Kumar Shashikant, S/o Sri Duniya Rai, R/o Village Kathrai, P.S.-
Rajpur, District- Buxar. Presently working at Prakhand Sadhan Sevi,
Midday Meal Scheme, Chakki, Dist- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Brahampur
(Krishna Brahma O.P.) P.S. Case No. 176/2018, instituted for the
offences punishable under Sections 409 and 420 of the Indian
Penal Code.

In the written report, it is alleged that the petitioner
and other accused persons have withdrawn an amount of Rs.
2,87,796/- by showing the number of students as 733 whereas
actual number of students was 150.

Learned counsel for the petitioner has submitted that
petitioner is employed as Prakhand Sansadhan Sevi, Mid Day Meal,
Middle School, Chakki on contract basis, which would appear



from enquiry report (at running page 16). Duty of petitioner is only to monitor the distribution of mid day meal. It is further submitted that for the occurrence of same date, the informant has filed a case against headmaster of the School, who has been put under suspension alleging that the entire money of mid day meal has been withdrawn by headmaster of the School and on account of aforesaid illegal withdrawal, he has already been suspended.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Brahampur (Krishna Brahma O.P.) P.S. Case No. 176/2018, 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 Chief Judicial Magistrate, Buxar, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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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