

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11783 of 2019**

Arising Out of PS. Case No.-234 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

KRISHNA KUMAR@ KRISHNA KUMAR S/o Narayan Das R/o Village-
Golaghat, P.S.- Koransarai, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 29-04-2019 This application, for grant of anticipatory bail, arises out of Buxar Industrial P.S. Case No. 234 of 2018, disclosing offences under Sections 409 and 420 of the Indian Penal Code.

Petitioner happens to be the Secretary of Primary School, Darahpur Block, Buxar and allegation against him is that in the year 2009-10, he in collusion with Incharge Headmaster of the said school defalcated an amount of Rs. 4,98,750/-, which was meant for construction of additional class rooms of school.

Submission of learned counsel for the petitioner is that he is the Ex-Secretary of the said school and has nothing to do with the allegation rather the responsibility to construct the additional class rooms is of the Headmaster and in a case lodged against the Headmaster of the school for realization of the



amount, the said Headmaster moved before this High Court in C.W.J.C. No. 24275/18, in which, vide order dated 21.01.2019 interim order of stay has been passed.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Buxar Industrial P.S. Case No. 234 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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