

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13684 of 2019**

Arising Out of PS. Case No.-52 Year-2016 Thana- Baligaon District- Vaishali

Pranay Kumar Singh Son of Raj Kumar Singh Resident of Village- Agrail  
Dih, P.S.- Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bipin Bihari Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      08-03-2019                      Heard the learned counsel for the petitioner and  
  
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Baligaon P. S. Case No. 52 of 2016 dated 03.08.2016 instituted for the offences under Sections 420, 409 and 34 of the Indian Penal Code.

The petitioner, in the capacity of Headmaster, is alleged to have defalcated the amount which was earmarked for construction work.

Learned counsel for the petitioner has submitted that during the financial year when the amount was disbursed and utilized, someone else was the Incharge



Headmaster and not the petitioner. However, it has also been submitted on behalf of the petitioner that when he took over the charge, he utilized the aforesaid amount and got the construction carried out to a large extent. Even after this, in order to express his bona-fides, the petitioner has stated that he is ready to deposit some part of the total assessed defalcated amount but of course subject to his rights and contentions later.

Considering the aforesaid arguments and the stand of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to his deposit of Rs. 2.5 lakhs before the Chief Judicial Magistrate-XII, Vaishali at Hajipur by way of draft, which shall be invested by the learned Chief Judicial Magistrate-XII, Vaishali at Hajipur in an interest bearing deposit with automatic renewal facility after every six months. The amount so deposited along with the interest accrued thereupon would be returned to the petitioner if he found to be innocent.

The petitioner, therefore, is directed to be released on bail, in the event of his arrest or surrender before the



court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, XIIth, Vaishali at Hajipur in connection with Baligaon P. S. Case No. 52 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and to the deposit of the draft of Rs. 2.5 lakhs as indicated above.

**(Ashutosh Kumar, J)**

skm/-

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