

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13064 of 2019

Arising Out of PS. Case No.-347 Year-2017 Thana- MAJHAULIA District- West Champaran

Rama Shankar Kumar, son of Late Vishwanath Kunwar, resident of Village -
Shikarpur, P.S.- Sikta, Distt.- West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-03-2019 The petitioner seeks bail in anticipation of his arrest in connection with Majhauria P.S. Case No. 347 of 2017 dated 11.09.2017 instituted for the offences under Sections 409/34 of the Indian Penal Code.

The petitioner, who is a Headmaster of a government high school is alleged to have withdrawn excess amount of Rs. 2,08,359/- under a scheme for the financial year 2009-10.

It has been submitted on behalf of the petitioner that the F.I.R has been lodged without verifying the facts of the case. The petitioner, in the first instance, has submitted that as against the withdrawal, necessary work has been carried out but maliciously, the measurement book was not



furnished by the Junior Engineer and therefore, the case has been lodged. It has also been submitted that by way of least resistance and to be on the safer side that the petitioner has deposited the alleged excess withdrawal which is subject to the rights and contentions of the petitioner later.

Considering the aforestated facts and taking into account that other similarly situated Headmasters, who are also alleged to have withdrawn excess amount have been granted anticipatory bail, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhaulia P.S. Case No. 347 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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