

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14316 of 2019

Arising Out of PS. Case No.-191 Year-2017 Thana- BAKHTIARPUR District- Saharsa

SURESH KUMAR CHOUDHARY @ SURESH CHOUDHARY Son of Indradeo Chaoudhary Resident of Village - Karpi, P.O.- karpi, P.s.- Karpi, Distt.- Jehanabad (at Present Distt.- Arwal). At Present Headmaster, New Created Primary School Dharhara, P.S.- Bakhtiyarpur, (Balwa Hat- O.P.) Distt.- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 11-07-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bakhtiyarpur P.S. Case No.191 of 2017 registered under Sections 420 and 409 of the Indian Penal Code.

The accusation is that for the construction of additional school building of New Created Primary School, Dharhara, Circle-Simri Bakhtiyarpur, Rs.6,00,000/- was sanctioned by the District Programme Officer, Serva Shiksha Abhiyan, Saharsa, for the financial year 2008-09 and the same was withdrawn by the petitioner being the Incharge Headmaster of the said school but the additional building of the said school



was not constructed nor the petitioner returned the money.

Learned counsel for the petitioner submits that, admittedly, the petitioner being the Incharge Headmaster of the said school withdrew Rs.6,00,000/- for the construction of the additional building of the said school but due to non-availability of the land, the petitioner could not get the additional school building constructed. The petitioner is ready to return Rs.6,00,000/ to the concerned department.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within eight weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Bakhtiyarpur P.S. Case No.191 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C., with further condition that the petitioner shall show the receipt of depositing Rs.6,00,000/- in the concerned department.

(Rajendra Kumar Mishra, J)

P.S./-

U			
---	--	--	--

