

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17580 of 2019

Arising Out of PS. Case No.-172 Year-2016 Thana- KATEYA District- Gopalganj

Nagendra Ram, aged about 34 years, Male, Son of Sri Ramashankar Ram
Resident of Village- Bankatiya Tola Tar, P.S.- Kateya, District- Gopalganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjeet Kumar Pandey, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 409/34 of the Indian Penal Code registered in
connection with Kateya P.S. Case No. 172 of 2016.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of misappropriation of Government
funds inasmuch as construction of the school building was not made
despite withdrawal of funds from the Government. It is submitted
that the petitioner, who was the Headmaster of the concerned school
at the relevant time, had got construction work started which,
however, delayed on account of certain dispute but subsequently, the
entire construction work has been completed in respect of which no
dues certificate dated 04.12.2018 (Annexure-4) has been issued. The
petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate-XV, Gopalganj in connection with Kateya P.S. Case No. 172 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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