

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24716 of 2019

Arising Out of PS. Case No.-404 Year-2018 Thana- KADWA District- Katihar

BHAGIRATH ROY Son of Kokha Roy, Resident of Village - Badwawari,
P.O. Barri, P.S.- Kadwa, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalit Narayan Jha
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 27-09-2019 Heard both sides.

The petitioner apprehends his arrest in Kadwa P.S.
Case No.404 of 2018 registered under Sections 406 and 409 of
the Indian Penal Code.

The gist of the allegation is that the petitioner being
Incharge Headmaster of Upgraded Middle School, Barhaiya
received Rs.5,96,250/- in the financial year 2007-08 but he did
the works of only Rs.2,28,857/-. The petitioner again received
Rs.8,06,250/- in the financial year 2010-11 for construction of
school building but did not do the work of construction for a
single farthing and thereby the authority asked the petitioner to
deposit Rs.24,60,300/- with interest on the principal amount.
When the petitioner failed to deposit the amount, the Block
Education Officer lodged the case.



Learned counsel for the petitioner submits that the petitioner was not being paid his salary from January, 2014 to till date except for the period from July, 2015 to October, 2016. The petitioner filed C.W.J.C. No.16483 of 2018 for payment of his salary and a coordinate Bench of this court by order dated 18.07.2019 directed the department to make payment of arrears of salary to the petitioner after verifying the records and deducting the amounts said to have been defalcated by the petitioner, but it appears that the petitioner received Rs.5,96,250/- in the financial year 2007-08 and Rs.8,06,250/- in the financial year 2010-11 but he did not do any construction of the school building.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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