

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30415 of 2019

Arising Out of PS. Case No.-117 Year-2017 Thana- SALAKHUA District- Saharsa

Bibhanand Ram Son of Late Ram Lakhan Ram Resident of Village- Manori,
P.S.- Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 07-05-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Salkua
P.S. Case No. 117 of 2017 for the offences under Sections 409,
420, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and he is in custody since
24.11.2018. He further submits that at the relevant time
petitioner was Incharge headmaster of the school, the school
was sanctioned Rs.9,02,199/- for construction work. He further
submits that out of Rs.9,02,199/- sanction amount the petitioner
has only withdrawn Rs.5/- lacs and out of Rs.5/- lacs work was
completed upto Rs.2,34,354/- and the same was entered in
measurement book. Instant case is of accounting and he is ready



to deposit the amount which was not utilized by the petitioner for construction work after final measurement and accounting.

Considering the fact that petitioner has no criminal antecedent, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Chief Judicial Magistrate-IV, Saharsa in connection with Salkua P.S. Case No. 117 of 2017 with the condition that after release the opposite party shall under take fresh measurement and on completion of measurement and accounting he shall raised fresh demand for payment and on raising such demand the petitioner shall deposit the same in the state ex-chequer within a period of three months.

(Anil Kumar Upadhyay, J)

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