

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29470 of 2019**

Arising Out of PS. Case No.-7 Year-2018 Thana- SIKARHATTA District- Bhojpur

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KAMESHWAR RAM Son of Late Deo Raj Ram Resident of Village-
Kurmuri (Baghratotala), P.S. Sikrahatta, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Sikrahatta P.S. Case No. 7 of 2018** instituted for the offence under Section(s) 406, 409 and 420 of Indian Penal Code pending in the court of learned Sub Divisional Judicial Magistrate, Bhojpur at Ara.

Earlier prayer for bail of the petitioner was rejected by this Court vide order dated 22.11.2018 passed in Cr. Misc. 64645 of 2018.

Allegation against the petitioner is of misappropriation of fund of Rs.20,98,500/- which was meant for construction of school building.

Counsel for the petitioner submits that petitioner has completed the work of Rs.1,29,500/- out of Rs.21,98,000/-. The amount of Rs.20,98,500/- of school is required to be refunded by the petitioner who is Incharge Headmaster of Middle School, Sikarhatta.



Supplementary affidavit on behalf of the petitioner has been filed today mentioning therein that petitioner has not returned the money because he has already paid advance amount to purchase, stone chips, Rod and cement etc. and they are not ready to refund the amount.

Counsel for the petitioner submits that co-accused Chandradeo Ram has already been granted bail by coordinate Bench of this Court vide order dated 10.10.2018 passed in Cr. Misc. 55114 of 2018. From the aforesaid order, it appears that co-accused has been granted bail because he has already completed the work, but petitioner has not completed the work and has misappropriated the amount.

Therefore, this Court is not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner stands rejected.

The report of the trial court is received from which it appears that three witnesses have already been examined in the case. The trial court is directed to expedite the trial and make efforts to conclude the trial within a period of six months from the date of receipt of this order.

(Sanjay Priya, J)

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