

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34783 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- SITAMARHI District- Nawada

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MUNENDRA KUMAR @ MUNENDRA SINGH Son of Late Krishna Singh
Resident of Village- Katghara, Police Station- Sitamarhi, District- Nawada.
... .. Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party : Mr.Md. Ataur Rahman, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 420/467 and other allied
sections of the Penal Code.

It is alleged that the petitioner, being a Government
teacher, took advance of Rs.5,85,000/- for construction of two
additional rooms of Katghara Middle School but he completed
construction work of Rs.1,69,000/-only and thus defalcated
Rs.4,16,000/-.

Contention of the petitioner is that till filing of the
FIR though the work was not completed but later on he
completed the entire work and no objection certificate has also
been issued to this effect by the District Programme Officer,
Nawada dated 27.12.2018 (Annexure 2). In turn, District



Programme Officer, Primary Education cum Sarva Shiksha Abhiyan, Nawada has also informed the Officer in charge, Sitmarhi (Meskaur) vide letter dated 27.12.2018 about no dues against the petitioner. He submits that by now not a single paise of the Department is due with him. Petitioner has no criminal antecedent.

Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Nafwada in Sitamarhi Police Station Case No. 196 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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