

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42670 of 2019

Arising Out of PS. Case No.-16 Year-2016 Thana- AKBARPUR District- Nawada

SUJEET KUMAR @ BOBBY Son of Ram Naresh Singh Resident of Village - Dudhaily, P.S.- Akbarpur, Distt - Nawada, presently posted as Incharge Headmaster Nav Srijit Primary School, Azad Nagar, P.S.- Akbarpur, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-07-2019

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Akbarpur P.S. Case No. 16 of 2016**, instituted for the offence under Section(s) 420 and 409 of the Indian Penal Code.

It is alleged in the written report that as per order of District Programme Officer, Nawada vide letter dated 25.1.2016, Rs.4,90,000/- was sanctioned to In-charge Headmaster of the Primary School, Azadnagar, Akbarpur, Nawada, for construction of the school building, but no construction was done by the petitioner. It is further alleged that the aforesaid amount has been defalcated by him.

Counsel for the petitioner submits that petitioner is ready to make payment of Rs.4,90,000/- in Government Treasury.

In such circumstances, this application is disposed off with direction to the petitioner to make payment of Rs.4,90,000/- in



two equal installments in the Government Treasury after taking necessary permission of competent authority. The petitioner will make payment of 1st installment within a period of two weeks from the date of this order and will produce valid receipt in the court below showing payment of 1st installment. On submission of valid receipt showing payment of 1st installment in the court below, the petitioner above named, will be released on provisional bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-I, Nawada**, in connection with **Akbarpur P.S. Case No. 16 of 2016**, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner shall make payment of next installment by 31st August, 2019 and after making payment of entire amount, the court below will confirm the provisional bail granted of the petitioner.

In the event, petitioner fails to make payment of second installment of money as ordered above, the bail bonds of the petitioner shall be cancelled.

(Sanjay Priya, J)

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