

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61319 of 2018

Arising Out of PS. Case No.-133 Year-2018 Thana- CHARPOKHARI District- Bhojpur

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Manish Kumar Chand Son of Sabhapati Ram, Resident of Village- Chandi,
P.S.- Charpokhari, District- Bhojpur at Ara Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Pandey

For the Opposite Party/s : Mr.Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 28-01-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Charpokhari P.S. Case No. 133 of

2018 dated 21.06.2018 instituted for the offences under

Sections 406, 409 of the Indian Penal Code.

The petitioner, in his capacity as Headmaster, is

alleged to have neither completed the assigned work of

construction of building nor has he returned the un-utilized

amount.

The learned counsel for the petitioner has

submitted that about eight years ago, some amount was

disbursed in the school account of which the petitioner was

Headmaster and against the aforesaid receipt, necessary



construction work was carried out. Before the petitioner exited from his responsibility as Headmaster of that school, the entire account was handed over. However, without ascertaining the aforesaid facts, the present F.I.R has been registered at the instance of the District Programme Officer holding that the petitioner has not completed the work and an amount of approximately rupees three lakhs is to be returned by him, which he has not returned despite notice to him.

The learned counsel for the petitioner has further submitted that he has not received any communication from the school management or for that matter from the informant for making payment of the aforesaid amount which is stated to be due against him. However, even the mode of calculation of that amount has not been made clear in the F.I.R.

Regard being had to the fact that the present F.I.R has been lodged with respect to an allotment which has been made six years ago and there being no allegation of the entire money having been siphoned off, the petitioner, above



named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Xth, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 133 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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