

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6712 of 2019

Arising Out of PS. Case No.-502 Year-2017 Thana- BANKA District- Banka

Jaiprakash Sah Nirala son of Late Sukhdeo Sah Vill.- Parghari, P.S.- Barahat,
Dist. - Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-04-2019 The petitioner apprehends his arrest in connection with Banka P.S.Case No. 502 of 2017 registered under Sections 420 and 409 of the Indian penal Code.

Allegation against the petitioner is of misappropriating the Government fund of Rs. 4,67,367/- and he happens to be the Incharge Headmaster of the School.

Submission of learned counsel for the petitioner is that he has already completed the work but due to illegal demand of the Junior Engineer, measurement could not be done and as such he has falsely been implicated in this case. It has also been submitted that one of the co-accused has been granted provisional bail till submission of charge sheet vide order dated 02.05.2018 passed in Cr.Misc. No. 24138 of 2018.

Heard learned APP also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let petitioner surrender within a period of six weeks from the date of receipt of a copy of this order and on his surrender he will be released on provisional bail till submission of charge sheet to the satisfaction of the court below with condition that he has to co-operate in investigation and produce all papers before the Investigating Officer. However, in spite of investigation, if charge sheet is submitted against the petitioner, he has to surrender and make prayer for regular bail, which shall be considered on the basis of material available on record at that time, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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