

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79263 of 2018

Arising Out of PS. Case No.-342 Year-2018 Thana- JAGDISHPUR District- Bhojpur

Rakesh Kumar Ghalaut Son of Late Jagdish Prasad Singh, Resident of Village
- Dharam Pipra, P.S.- Jagdishpur, District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sri Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioner apprehends his arrest in Jagdishpur P.S.

Case No.342 of 2018 registered under Sections 409 and 420 of
the Indian Penal Code.

The Block Education Officer of Jagdishpur alleged
that the Headmasters of five schools withdrew huge amount
from the account for construction of school building in the
financial year 2009-2010 and onwards but they did not construct
any building and misappropriated the entire amount. The
petitioner was the Headmaster of Primary School, Mahatati and
withdrew Rs.6 lacs in the year 2009-2010 for construction of
three additional class room but the petitioner did not either
construct the building or deposit the amount in the head of the
school. When the matter was reviewed in the year 2018, the



petitioner was asked to deposit the amount but when the petitioner failed to deposit the amount, the F.I.R. was lodged.

Learned counsel for the petitioner submits that the petitioner after withdrawing the amount for construction of additional class room gave money to brick kiln supplier, stone supplier and cement supplier but on account of hindrance put by the villagers, the petitioner could not construct the building but I find that it is a lame excuse on the part of the petitioner who withdrew the money in the financial year 2009-2010 for construction of additional class room and the petitioner misappropriated the entire amount and did not construct any additional class room for more than eight years. It is a glaring example of gross misappropriation.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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