

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70711 of 2018

Arising Out of PS. Case No.-170 Year-2016 Thana- KATEYA District- Gopalganj

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1. Madho Yadav son of Bhagwan Datt Yadav, resident of Village- Nawalpur, P.S.- Kateya, District- Gopalganj.
 2. Sahim Ali, son of Chhedi Miya @ Chhedi Ali, resident of Village- Misrauli, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2019 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek regular bail in connection with
Kateya P.S. Case No. 170 of 2016 for the offences punishable under
Sections 409/34 of the Indian Penal Code.

The allegation against the petitioners is that advance
money was given to the petitioner no.1 in the capacity of being the
Incharge headmaster of Up graded Middle School, Nawalpur for the
purposes of construction of class rooms, however, the petitioner no.1
could not complete the work to the tune of Rs. 1,52,000/-
approximately and it is alleged that the petitioners have swindled the
said amount.

The learned counsel for the petitioners submits that the
petitioners are innocent and have a clean antecedent as well as they
are languishing in custody since 29.09.2018, nonetheless the learned



counsel for the petitioners submits that the petitioners are ready to deposit a sum of Rs. 50,000/- (Rs. Fifty thousand) for the purposes of grant of bail, however, he submits that the said deposit be made subject to final outcome of the case.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct for release of the petitioners on regular bail immediately after depositing a sum of Rs.50,000/- in cash by the petitioners jointly before the Nazarat of the concerned trial court whereupon the petitioners, above named, are directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Gopalganj in connection with Kateya P.S. Case No. 170 of 2016.

It is needless to state that the aforesaid deposit of Rs. 50,000/- shall be subject to the final outcome of the trial.

(Mohit Kumar Shah, J)

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