

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70271 of 2019**

Arising Out of PS. Case No.-103 Year-2019 Thana- BAHERI District- Darbhanga

=====

GANGA CHOUDHARY @ GANGA PRASAD CHOUDHARY S/o Late Anand Choudhary Retired Incharge Headmaster, plus 2 Shanti Nayak High School, Baheri, Resident of village Lakshminiyan, Post Office- Rahiyar Kochi, P.S.- Hathauri, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Prabhas Ranjan

For the Opposite Party/s : Mr.Nitya Nand Tiwary

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      06-11-2019                      This application, for grant of anticipatory bail, arises out of Baheri P.S. Case No. 103 of 2019, disclosing offences under Sections 406, 409 and 120B of the Indian Penal Code.

Petitioner happens to be retired Incharge Headmaster of +2 Shanti Nayak High School, Baheri, and allegation against him is of defalcation of Government money of Rs. 6,08,600/-.

Submission of learned counsel for the petitioners that when after retirement, the retiral benefits were not paid to the petitioner, he moved this High Court by filing writ application bearing C.W.J.C. No. 13815/2016, in which, there is a direction for withholding Rs. Fourteen Lakhs from the pensionary account of the petitioner till three men enquiry is completed, as such, Rs Fourteen Lakh of petitioner is still with the



Government and the alleged defalcated is only Rs. 6,08,600/- and they can deduct the same from the pensionary account of the petitioner.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -IX, Darbhanga, in connection with Baheri P.S. Case No. 103 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject subject to the condition that petitioner shall cooperate in the investigation and in enquiry, if any pending before the authorities concerned.

**(Vinod Kumar Sinha, J)**

sunilkumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

