

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85202 of 2019

Arising Out of PS. Case No.-198 Year-2018 Thana- JALALGARH District- Purnia

SUWANAND RISHIDEO @ SUBANAND RISHIDEO Son of Fakir Chand
Rishideo Resident of Village- Rampur, Kodarkatti, P.S. and District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-08-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Jalalgarh P.S. case No. 198/2018 registered under Section 409/420 of the IPC.

The Block Education Officer, Jalalgarh, Purnea, in sum and substance, alleged that petitioner being In charge Headmaster of Middle School, Jahangirpur, block Jalalgarh received Rs. 7,86,300/- in the financial year 2008-09 for construction of three additional class rooms and Rs. 11,88,000/- in the financial year 2010-11 for construction of four additional class rooms but till financial year 2017-18 construction of additional class rooms was not completed. By order dated 05.07.2018 the petitioner was directed to complete the



construction of class rooms but the petitioner did not show any interest and consequently the informant lodged the case on 22.11.2018.

The learned counsel for the petitioner submits that, of course, some delay has been caused in construction of additional class rooms but from Annexure-2 it would appear that petitioner has already completed the entire construction work. The Block Education Officer and other officials have forwarded the application of the petitioner stating therein that petitioner completed the construction work and the petitioner deserves anticipatory bail but it appears from perusal of the FIR itself that petitioner firstly withdrew Rs. 7,86,300/- in the financial year 2008-09 for construction of three additional class rooms and thereafter he withdrew Rs. 11,88,000/- in the financial year 2010-11 for construction of four additional class rooms but even after lapse of more than 7-8 years the petitioner did not complete the work causing inconvenience to the students and he committed temporary misappropriation of Government money by not completing the construction work within the stipulated time.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.



If the petitioner surrenders in the court below the learned court below shall consider the prayer for regular bail of the petitioner taking into consideration the facts that petitioner has already completed the construction work and dispose of the bail petition as soon as possible after obtaining verification report from the Block Education Officer about the completion of work by the petitioner.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

