

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38590 of 2021

Arising Out of PS. Case No.-390 Year-2017 Thana- AMARPUR District- Banka

ARBIND RABIDAS Son of Shiv Shankar Rabidas Resident of Babhangama,
P.S. Barahat, District - Banka Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Narayan Singh

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 03-12-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 406, 409,34 of the Indian
Penal Code.

As per the prosecution case, petitioner, was advanced
Rs. 7,30,000/- in the year 2009-10 for construction of school
and he withdrew the amount but stopped the construction after
casting of roof. It is further alleged that in the year 2014-15 Rs.
8,53,000/- was sanctioned for construction of other building and
this petitioner withdrew that amount also but construction work
has not been started and thus petitioner is alleged to have
defalcated a sum of Rs. 11,96,424/-

Learned counsel appearing for the petitioner submits
that construction has already been made up to roof level and
remaining construction work will be completed within six



months after his release.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and undertaking given by the petitioner, let the petitioner, above named, be released on provisional bail for a period of six months from the date of his release on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Amarpur (Fullidumar) PS case No. 390/2017, subject to condition that petitioner shall complete the remaining construction work within six months from the date of his release and submit a certificate to this effect issued by District Education Officer, Banka. If the petitioner completes the construction work within six months, provisional bail granted to the petitioner shall be confirmed by the court below and if he fails to complete the construction work within the specified time, the prosecution shall be at liberty to take steps for cancellation of bail bonds of this petitioner.

(Prabhat Kumar Singh, J)

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