

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31058 of 2020

Arising Out of PS. Case No.-82 Year-2020 Thana- ITARHI District- Buxar

=====

SRI VISHNUJI SINGH (aged about years, Gender-Male), Son of Shyam Sundar Singh, Resident of Village - Anthua, P.S.- Krishnabrahm, District – Buxar, at present In-charge Headmaster Primary School Kalyanpur, P.S.- Itarhi, District - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate.

For the Opposite Party : Mr. Nityanand, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

6 22-07-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for the offence registered under Section 409 of the I.P.C.

The prosecution story, in brief, is that on the complaint of the District Public Grievance Redressal Officer, Buxar, the District Programming Officer has issued a letter on 07.01.2020 to lodge an F.I.R. against the petitioner for defalcation of money of Rs. 6,65,771/- which was handed over to him for construction of the building of the Primary School



which was misappropriated by him after withdrawing the same.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The allegation, as made in the F.I.R., is denied by the petitioner in respect of misappropriation of fund relating to construction of school building. The scheme was related to the financial year 2011-12. The case was instituted in the year 2020. It is further submitted that the petitioner is ready to deposit an amount of Rs. 2,00,000/- (Rupees Two Lacs) Only in the learned court below within a period of eight weeks which shall be subject to final result of the case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner is directed to deposit an amount of Rs. 2,00,000/- (Rupees Two Lacs) only in the learned court below within a period of eight weeks which shall be subject to final result of the case. On doing so, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on



anticipatory bail on his personal bond to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Buxar, in connection with Itarhi P.S. Case No. 82 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

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

