

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1080 of 2020

Arising Out of PS. Case No.-277 Year-2016 Thana- District- Buxar

RAKESH KUMAR TRIPATHI S/o Late Kabindra Nath Tripathi Resident of
Village- Kagipur, P.S.- Simri, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 409, 420, 166A, 120B, 34 of the Indian Penal Code.

The accusation against the petitioner is that he misused his position, issued advice slip of huge amount in favour of headmasters of several schools but in inquiry, the aforesaid schools were found fake and, as a matter of fact, the aforesaid schools were not in existence but even then several



students of the aforesaid schools were shown to be entitled for scholarship and accordingly by issuing forged advice slips the petitioner and other accused misappropriated government money.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that after submission of the charge-sheet cognizance was taken and thereafter case proceeded for trial and after closing of the prosecution and defence witness, the hearing was made. Thereafter, the petitioner was found guilty for the offence under Sections 409, 420, 120B, 34 of the Indian Penal Code by the learned court below on 20.09.2019 and thereafter the sentence was awarded for offence under Section 409, 34 IPC for R.I. of six years and fine of Rs. 20,000/- and in default of payment of fine, the sentence was awarded for S.I. for six months. Further the sentence was awarded for the offence under Sections 420, 34 I.P.C. of R.I. of three years and in default of payment of fine further sentence of S.I. of nine months and further sentence was awarded for the offence under Section 120B IPC for R.I. of two years and fine of Rs. 2000/- in default of payment of fine the further sentence was awarded of S.I. of six months and the punishment of fine was awarded and all the



imprisonment sentence will be run concurrently. He submits that the petitioner is languishing in judicial custody since 20.08.2016 and more than 50% punishment was already availed by the petitioner which is four years and seven months.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI, Buxar in connection with Cr. Appeal No. 84 of 2019 arising out of Nagar P.S. (Buxar) Case No. 277 of 2016, G.R. No. 1523 of 2016.

(Anjani Kumar Sharan, J)

devendra/-

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

