

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12582 of 2021

Arising Out of PS. Case No.-5 Year-2016 Thana- SHANKARPUR District- Madhepura

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AVIMANYU KUMAR S/O ANMOL KUMAR RESIDENT OF VILLAGE-
SHIV NAGAR PARARIYA, P.S- KUMARKHAND, O.P.-BELARI,
DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 09-05-2022 Heard Mr. Dinesh Prasad Verma, learned Advocate for
the petitioner and the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Sankarpur P.S. Case No. 05 of 2016 dated 01.02.2016 instituted for the offences under Sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The accusation in the FIR lodged by the in-charge Headmaster of the school is that an amount of Rs. 15,28,437/- was given to the Supervisor viz. Anmol Kumar for construction of a new school building and toilet but the work up to the value of only Rs. 11,87,367/- was found to have been done.

It has further been alleged that the Supervisor viz. Anmol Kumar has run away.

Hence the accusation of embezzlement of public fund.



The learned counsel for the petitioner has submitted that he is the supplier against whom there is no specific accusation. He has supplied everything for which he has been paid. It has further been submitted that according to the measurement book, the entire work has been completed. For some part of the work which had remained unfinished, an attempt was made by the accused persons and ultimately even that unfinished work has now been completed.

Considering this aspect of the matter, Anmol Kumar, one of the accused persons has been granted anticipatory bail by this Court on 06.08.2021 passed in Cr. Misc. No. 5000 of 2021.

Regard being had to the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate – Ist, Madhepura in connection with Sankarpur P.S. Case No. 05 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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