

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18368 of 2021

Arising Out of PS. Case No.-196 Year-2019 Thana- MANSI District- Khagaria

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RAGHUVANSH KUMAR S/o Hari Kishor Sah R/o village and P.O.- Fango,
P.S.- Mansi, District- Khagaria Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanchan Kumari

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Mansi P.S. Case no. 196 of 2019 instituted for the offence
under Section 409 of the Indian Penal Code.

As per allegation in the FIR, petitioner is the
headmaster of the school. On 30.7.2019 he was handed over 16
bags of rice under the scheme of mid day meal. After two days
i.e on 2.8.2020 school was inspected by the authority and ten
bags were found missing from the school.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. In fact, school is not situated in a well communicated area in rainy and flood season and the supplier has left the rice on fongo halt with an assurance to transport the said left bags at school by manual load. Petitioner managed to get one bag to the school manually by labour.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mansi P.S. Case no. 196 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Khagaraia subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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