

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53723 of 2021

Arising Out of PS. Case No.-56 Year-2018 Thana- KHODAWANDPUR District- Begusarai

Ek Nath Pathak Son Of Late Bineshwari Pathak Principal Mahant Ramakant Das Inter College, Meghaul, District- Begusarai, Permanent Address- R/O Village- Pahsara, Ward No.3, P.S.- Nawkothe, District- Begusarai, And At Present Address- R/O Mohalla- Panhas, Post- Suhirdranagar, P.S.- Mufassil, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shekhar Kumar Singh, Adv
For the Informant	:	Mr. Dharendra Kumar, Adv
For the State	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioner, informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 409, 467, 468, 471 of the Indian Penal Code.

It is alleged against the petitioner that the petitioner being Principal of Mahant Ramakant Das Inter College, Manjhaul has misused and defalcated the college fund i.e. grant of aid granted by the Secondary



Education Department, Government of Bihar, Patna.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. The payments were made to the concerned teachers through cheques. There was no defalcation of government fund. It is also submitted that after completing investigation, the petitioner was not sent up for trial and final form was submitted, but differing with the final form, learned Magistrate has taken cognizance against the petitioner.

In contra, learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner has misused and defalcated the government fund.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned Sub-Divisional Judicial Magistrate,
Manjhaul, Begusarai in connection with Khodawandpur
P.S. Case No. 56 of 2018, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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