

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54560 of 2021

Arising Out of PS. Case No.-42 Year-2017 Thana- LADANIA District- Madhubani

Vishwanath Purbey Son Of Late Ram Avtar Purbey Ex-Incharge Headmaster,
New Primary School Yogia Garh, Pasaraniyan Ladaniya, R/O Village-
Sidhpakla, P.S.- Ladaniya, District- Madhubani, At Present Resident Of N.H.-
142, Kunwar Singh Chowk, Near Main Road, Jai Nagar, P.S.- Jai Nagar,
District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 14-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 188, 420
and 34 of the Indian Penal Code.

Allegation against the petitioner is that he being in-
charge of the school had withdrawn money for construction of
the school in question but had not complete the construction and



also not handed over the charge including the cash amount prior to him retirement from service on 31.01.2014

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that petitioner was a teacher of the primary school and petitioner had completed the work which reflects by the letter dated 3105 dated 04.08.2016 issued by the District Programme Officer S.S.A. Madhubani. He further submits that District Officer itself implicates that only Rs. 41,462/- is remaining in regard to which he is ready to deposit the said amount. He submits that petitioner is ready to pay rest of the amount to the account of New Primary School, Yogia Garh Pasaraniyan, Ladaniya, Madhubani . He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that petitioner is ready to deposit the rest amount to the account of New Primary School, Yogia Garh Pasaraniyan, Ladaniya, Madhubani, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on



furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ladaniya P.S. Case No. 42 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below after verifying the fact that petitioner has deposited the amount to the account of the New Primary School, Yogia Garh Pasaraniyan, Ladaniya, Madhubani.

(Anjani Kumar Sharan, J)

ajay/-

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

