

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56126 of 2021**

Arising Out of PS. Case No.-87 Year-2021 Thana- MURLIGANJ District-
Madhepura

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Satya Narayan Rajak Son of Late Dev Narayan Rajak Resident of Village -
Bariyahi, Ward No. 06, P.S.- Murliganj, District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Chand Prasad, Advocate

For the State : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 04-04-2022 The applicant has claimed out of turn hearing on the

ground of serious ailments of his wife, which fact is not disputed

by the State.

The applicant is an accused in Crime No. 87 of 2021
registered with Police Station-Murliganj for the offences
punishable under Sections 409, 420 of the Indian Penal Code. By
this application, he is seeking his release on bail during pendency
of the trial.

Heard both sides and perused the counter affidavit
filed by the State.

The applicant is a retired Headmaster of the school
run by the State. The allegation against him, as seen from the
report was by the In-charge Headmaster is to the effect that after
his retirement, the applicant has not refunded an amount of



Rs. 1,65,000/- as well as Rs. 2,70,000/- which was withdrawn by him during his tenure.

The investigation of the subject crime is over. The other side has not disputed the communication dated 16.07.2021 issued by the In-charge Headmaster of the school which is to the effect that the applicant had refunded the entire amount and as of now nothing is outstanding against him.

In view of the fact that the investigation of the subject crime is over and chargesheet has been filed, I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i) The application is allowed.

(ii) The applicant/accused in Crime No. 87 of 2021 registered with Police Station-Murliganj for the offences punishable under Sections 409 and 420 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs. 10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions :

(I) The applicant/accused should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.



(II) The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III) The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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