

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61353 of 2021

Arising Out of PS. Case No.-390 Year-2017 Thana- AMARPUR District- Banka

PURUSHOTTAM KUMAR PAPPU S/o Late Kameshwar Mandal R/o
village- Geratikar, P.S.- Fullidumar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-02-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 406/409/34 of the Indian
Penal Code.

As per the prosecution case, this petitioner being
Head Master of Navsrijit Primary School, Nadha Pahad,
Fullidumar, misappropriated the Govt. money of Rs. 6,23,471/-
allotted for construction of school building, toilets and kitchen
in the school.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that petitioner is ready to return the amount
after releasing on bail in installments of Rs. 25,000/- quarterly
to the Government. Petitioner claims clean antecedent and is in
custody since 27.09.2019 and investigation in this case is



complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, the period of custody of the petitioner and the undertaking given by the petitioner that he will return the amount in installments, let the petitioner, above named, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Amarpur (Fullidumar) PS case No.390/2017, subject to condition that petitioner shall deposit Rs. One lakh within two months from the date of his release and thereafter deposit the remaining amount in installments of Rs. 25,000/- quarterly.

If the petitioner fulfills the aforesaid condition, the provisional bail granted to the petitioner shall be confirmed by the court below and he fails to fulfill the aforesaid condition, the court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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