

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64042 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- FALKA District- Katihar

ANIL KUMAR @ ANIL KUMAR MANDAL Son of Satya Narayan Mandal
Resident of Village- Chakla Maula Nagar, P.S. Falka, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant, a Block Education Officer, Sameli, has instituted the F.I.R. alleging that petitioner was in-charge Headmaster of Primary School, Darmahi, Sameli and during his service period in the financial year 2008-09 and 2011-12, he received an amount of Rs. 20,45,400/- in advance for construction of three rooms and again four additional room in the school in question under NSB Scheme. It is next alleged that the petitioner had surplus amount



of Rs. 16,06,725/- which he did not return as such it is alleged that he misappropriated the government money.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case, the money was utilised for construction of rooms in the school and it has been specifically stated that the rooms are still standing in the school and one can still get the matter inquired. It is next submitted that the F.I.R. came to be instituted in the year 2021 when admittedly the allegation ranges in between year 2008-12 and there is no explanation regarding this inordinate delay in instituting the F.I.R.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Falka (Pothiya) P.S. Case No. 06 of 2021 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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