

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64802 of 2021

Arising Out of PS. Case No.-310 Year-2020 Thana- DEHRI TOWN District- Rohtas

MARKANDEY RAI Son of Late Shyam Narayan Rai Resident of Village -
Murero, P.s.- Bhawar Kol, Distt.- Gazipur , U.P., At present residing at BH-
461 Barsana Sector, L.K. Colony, P.s - Dhumanganj Prayagraj- U.P.- PIN-
211011

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 420 / 409 of the Indian Penal Code.

As per the prosecution case, this petitioner, after retirement on 31.01.2020 from the post of Head Master, neither handed over charge to the informant nor deliver the registers pertaining to student fund, development fund, Secondary Education Scheme and other schemes, cash register of school etc. to the informant.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. As a matter of fact, on 31.10.2019, the petitioner met with an accident while going on motorcycle, due to which, his right knee and leg bone were



fractured and as such, petitioner was advised complete bed rest and during that period, the petitioner got retired from service. It is further submitted that petitioner handed over entire ledger, physical charge etc. on 17.10.2020 to the informant, which was forwarded to District Education Officer, Rohtas and only thereafter, 'No Dues Certificate' was issued in favour of petitioner, vide letters no. 177 & 178 dated 09.02.2021 and as such, no case under Section 420 of the I.P.C. is made out against this petitioner. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Dehri-on-Sone, Rohtas in connection with Dehri Nagar (Dalmia Nagar) P.S. Case No. 310 of 2020 (G.R. No. 449/2020), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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