

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22343 of 2023

Arising Out of PS. Case No.-288 Year-2022 Thana- MANJHI District- Saran

ASHOK KUMAR RAI S/o- Late Deopujan Rai Resident of Village-
Kathapura Nawa Nagar, Balia District- Balia (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Tiwary, Advocate.

For the Opposite Party/s : Mr.Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Shashi Shekhar Tiwary, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Manjhi P.S. Case No. 288 of 2022 registered for the
offence punishable under Sections 409, 420, 467, 468 and 471
of the Indian Penal Code.

3. Prosecution story, in brief, is that the petitioner is
said to have misappropriated government money amounting
Rs.16,46,337/- on account of non-execution of government
scheme.

4. Learned counsel appearing on behalf of the
petitioner submitted that at the relevant point of time, the
petitioner was the Headmaster of the school and on the date of
his retirement, he had deposited balance amount of Rs.
13,48,197/- and the District Education Officer, Chapra had
directed him to deposit the balance amount amounting Rs.2,33,



599/- in the account of the school, in compliance of which petitioner has deposited the said amount vide Cheque No. 655934 dated 05.03.2022. Therefore, no case is made out against the petitioner for the alleged misappropriation of public fund.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner and the fact that the petitioner who was the Headmaster of the school at the relevant point of time has deposited entire amount which is allegedly said to have been misappropriated by him, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chhapra in connection with Manjhi P.S. Case No. 288 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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(Purnendu Singh, J)

