

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61853 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- PURNAHYA District- Sheohar

RAM AYODHYA SINGH, Son of Late Shivnarayan Singh, Resident of
Village- Chiraiya, P.O.- Barahi Jagdish, P.S.- Purnahiya, Block- Purnahiya,
District- Sheohar, State- Bihar, PIN-843334

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

Hard copy of supplementary affidavit is being taken on
record.

The petitioner seeks bail in connection with Purnahiya
P.S. Case No. 85 of 2022 registered for the offence punishable under
Sections 420, 406, 409 and 34 of the Indian Penal Code.

The FIR, instituted under orders of the Block Education
Officer, has been lodged for recovery of an amount of Rs. 3,89,500/-
(Three lakh eighty nine thousand and five hundred rupees), which
was required to be utilized for the purposes of some civil
construction of a school where the petitioner was at the relevant time
the 'Head Master'.

Learned counsel for the petitioner submits that the
petitioner had retired on 28.02.2016. If at all any dues remained then
the petitioner would not have been permitted to retire and
proceedings would have been initiated against him. In fact, the entire



work has been completed and resort to criminal proceedings is an abuse to process of the court, so as to cast liability on the petitioner at a belated stage. The petitioner is in custody since 20.08.2022. Moreover, investigation is also complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and petitioner's period of custody since 20.08.2022, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released 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 S.D.J.M.- Sheohar, in connection with Purnahiya P. S. Case No. 85 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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