

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53800 of 2024

Arising Out of PS. Case No.-54 Year-2013 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Nandu Kishore Singh @ Nandkishor Singh, Son Of Bujhawan Singh @
Bujhawan Singh Resident Of Village - Phulkaha, P.S. - Shyampur Bhataha,
District - Sheohar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

Mr. Rohit Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shyampur Bhataha P.S. Case No. 54 of 2013 dated 04.06.2013
instituted for the offence punishable under Section 406, 420 of
the Indian Penal Code.

3. The prosecution case, in short, is that co-accused,
namely, Navin Kumar, Secretary State Women's Development
Organisation, Maurya Path, Khajpura, Patna was selected to
impart training of computer education in the eight middle
schools of Dumrai Sub-Division and nine middle schools of
Sheohar Sub-Division. In this regard, total Rs. 6,80,000/- was



paid to the said organisation in two installments. On enquiry of the matter, the work was not found satisfactory. It is alleged that defalcation of government money has been made under well hatched conspiracy.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. During the course of investigation in the year 2021, the name of the petitioner and others was figured as accused on the basis that at relevant time he was Headmaster of Middle School, Gajipur, which is one of the schools where computer training program was conducted. The petitioner superannuated from the service on 30.04.2014 itself and after lapse of seven years, he has been made accused in this instant case. Learned counsel for the petitioner submits that the main allegation is against Navin Kumar, who received Rs. 6,80,000/- in two installments in his account by cross cheque. There is no allegation against the petitioner that he received any amount of the said scheme. The said Navin Kumar has been granted bail vide order dated 24.09.2014 passed by co-ordinate Bench of this Court in Criminal Miscellaneous No. 31370 of 2014. Lastly, it has been submitted that petitioner has no criminal antecedents.



5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shyampur Bhataha P.S. Case No. 54 of 2013, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheohar, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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