

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67029 of 2023

Arising Out of PS. Case No.-64 Year-2022 Thana- BUDHUCHAK District- Bhagalpur

ATMANAND S/o- SUBHASH PRADAD SAH Village- Subbanagar Ps-
Budhuchak Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mrs. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 420, 409, 467 and 471
of the Indian Penal Code.

3. Allegedly, the petitioner being the In-Charge Head
Master of Primary School, Rani Diyara, is said to have
defalcated Government amount of uniform and book subsidy
and transferred the same in his personal account.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
levelled against the petitioner is not specific rather general and



omnibus in nature. He submits that some of the parents had no bank account and on their request the petitioner transferred the money in his account and later on instantly paid to the beneficiary. He further submits that the petitioner is ready to deposit the said amount i.e. Rs.9649/- to the school's account. Petitioner has one criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioner to misappropriate the Government money i.e. Rs.9649/-.

6. Having regard to the facts and circumstances of the case as the petitioner is ready to return the said amount, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Budhuchak P.S. Case No.64 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the learned Court below is directed to accept



the bail bond of the petitioner after verifying that he has deposited the aforesaid amount i.e. Rs.9,649/- in the school's account. If it is found that the petitioner has not deposited the said amount, then his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

