

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68543 of 2023

Arising Out of PS. Case No.-323 Year-2023 Thana- BARUN District- Aurangabad

Surendra Kumar Singh S/O Late Ram Siddhi Singh Village- Kurtha, Ps.
Shivsagar, Dist. Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Narsingh Tanti, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and the State.

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

3. As per the prosecution case, petitioner being retired headmaster, misappropriated compensation amount of Rs. 5 crores received on acquisition of school building by the NHAI.

4. Learned counsel appearing for the petitioner submits that the petitioner has not misappropriated the Government money rather he had acted in the manner as authorized by the Managing Committee of the School. Petitioner, in consultation with the Circulate Engineer got the school building constructed as per the Government standard and the amount of expenses incurred over the construction was



approved by the Managing Committee. Audit report by the Chartered Accountant has also been prepared regarding the utilization of fund received from N.H.A.I. which is contained in annexure P7 to the bail petition. Moreover, petitioner retired on 30.11.2021, whereas this case has been instituted on 13.7.2023 for ulterior and malafide purpose. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, 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 the Chief Judicial Magistrate, Aurangabad in Barun Police Station Case No. 323 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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