

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72349 of 2025**

Arising Out of PS. Case No.-73 Year-2017 Thana- SONBERSHA RAJ District- Saharsa

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Nand Kumar Sah @ Nand Kumar Niraj Son of Bishnudeo Sah Resident of
village- Bhavra Ward no 10, PS- Sonbarsaraj, District- Saharsa

... .. Petitioner

Versus

1. The State of Bihar
2. Mithilesh Kumar Singh S/o Janardhan Prasad Singh R/o vill - Bhargama,
P.S.- Chausa, Distt- Madhepura, The then Block Education Officer, Sonbarsa
Raj, Distt.- Saharsa

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Pawan Kumar, Advocate
For the State	:	Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 05-05-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in

connection with Sonbarsa Raj P.S. Case No.73 of 2017

registered for the offence under sections 406, 409 and 420 of the

Indian Penal Code.

3. The petitioner is accused of defalcating

Rs.30,17,661/- meant for construction of school building. He is

in custody since 12.08.2025.

4. Learned counsel for the petitioner submits

that a co-ordinate Bench of this Court vide order dated

17.01.2026 had granted provisional bail to the petitioner and

after being released from the custody the petitioner had



represented before the authorities to finalize the measurement book and he is ready to complete the construction work / pay the balance amount as per the measurement book but the authorities are not doing the same. He further submits that the petitioner, who was working as headmaster of the school, has not been paid his salary since 2021, for which he had filed a case in the Tribunal pursuant to the direction of this Court, which is still pending.

5. Considering the facts of the case and also the submissions of learned counsel for the petitioner, the provisional bail granted to the petitioner vide order dated 17.01.20226 is hereby confirmed. He is not required to furnish fresh bail bonds.

6. This is subject to the condition that the petitioner shall abide by his submissions, as noted above, i.e. either he complete the construction work or return the balance amount in question. The authorities may proceed against the petitioner as per his undertaking.

7. Accordingly, the present bail application is allowed.

(Sandeep Kumar, J)

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