

In the Court of Principal Sessions Judge, Sheohar, Bihar

ABP No.-88/2026

CNR No:-BRSO01-000586-2026

**Ref :- Arising out of Shyampur Bhataha PS Case No.-54/2013, Dated-04.06.2013,
U/sections-406, 420 of IPC.**

In the matter of :-

1. Md. Hussain Akhtar, S/o Late Abdul Hakim, Aged-about 72 years, R/o Village-Dumari Katsari, PS-Shyampur Bhataha, District-Sheohar
2. Md. Basir Ahmad Khan, S/o Late Shafi Mohammad Khan, Aged-about 73 years, R/o Village-Mathurapur Ward No.-8, PS-Fatehpur, District-Sheohar
3. Ramkishor Singh "Suman", S/o Late Deep Narayan Singh, Aged-about 72 years, R/o Village-Pahadpur Ward No.-16, PS-Shyampur Bhataha, District-Sheohar
4. Kamlesh Kumar, S/o Ramchandra Rai, Aged-about 47 years, R/o Village+Post- Boraha Ward No.-5, PS-Shyampur Bhataha, District- Sheohar ----- **Petitioners**

Vrs.

The State of Bihar

----- **Opposite Party**

Learned counsel for the petitioner : Shri Ajay Kumar, Ld. Advocate.

Learned Public Prosecutor for State : Shri Suresh Roy, Ld. P.P.

17.03.2026:-

ORDER

1. The petitioners above named are apprehending their arrest in connection with Shyampur Bhataha PS Case No.-54/2013, Dated-04.06.2013, U/sections-406 and 420 of IPC.
2. Heard both sides.
3. The Learned counsel for petitioners submitted that petitioners are innocent and they have committed no offence whatsoever as alleged. It is further submitted that the prosecution case as alleged is false, frivolous, baseless and concocted. The petitioners stated that they have no involvement in the above matter. The NGO came to the school and examined the seventh and eighth class students. They requested a list of names of eighth grade students, for which the petitioners compiled a list of students from their schools and provided it. Beyond this, the petitioners have no other contribution.
4. The learned public prosecutor opposed the prayer for bail.
5. It is alleged in the FIR that on 23.11.2011, public advertisement was done to select

NGO for providing computer education to children of minority community for Class 6 to 8. 23 applications were received in the light of the advertisement. Navin Kumar, Secretary Raj Mahila Vikas Sansthan, Patna was selected to provide computer education in Dumari Block in Middle School Nayagaon, Middle School Shyampur, Middle School West, Middle School Nayagaon Prachin, Middle School Dumari, Middle School Gajipur, Middle School Rampur Keshav Urdu, Middle School Uday Chhapra and 9 Middle Schools of Sheohar Block. Vide office letter no.-96, dated-25.01.2012, he was authorised to impart computer education and out of expenses amount of Rs.6,80,000/-, 50% of it (Rs.3,40,000/-) was paid to him by cheque. After completion of work Navin Kumar, Secretary submitted attendance register of the students issued by the administration of the respective schools for payment of rest due amount, which was subsequently paid. By inquiry committee constituted by the state government objections were raised in respect of unsatisfactory performance of some work place. Thereafter, show-cause was issued to the NGO on 30.05.2013 and the explanation submitted by them was found to be unsatisfactory. It is clear that government money has been misappropriated with the pre planning.

6. The petitioners are not named in the FIR. Their name has transpired during the course of investigation (Para-348 and 349 of case diary). The witness Nasir Hussain, DPO, Sheohar has stated at para-348 that the petitioners in collusion with the NGO have grabbed the public money. The allegation was inquired at department level and the allegations were found to be true. The petitioners were headmasters of their respective school. At the relevant time the petitioner no.-1 was headmaster of Middle School, Raipur, petitioner no.-2 was headmaster of Middle School Nayagaon Prachin, petitioner no.-3 was headmaster of Middle School Nayagaon Adarsh and petitioner no.-4 was headmaster of Middle School, Shyampur. The witnesses at para-8, 10, 11, 12 have supported the prosecution case. The witnesses at para-22, 23, 24 are teachers of school and have stated that the students were imparted computer education and thereafter certificate to all the students were issued. In the meantime the officers also used to visit and check whether computer education was imparted or not. The witnesses at para-25, 26, 27, 28, 29, 35, 36, 37, 38, 49, 50, 51, 67, 68, 69 are students who have stated that they were imparted computer education for two months and after completion of computer course certificate was issued to them. The

witnesses at para-33, 34, 55, 56, 65, 66, 72, 73 are the teachers in the respective schools who have also stated that the computer education was imparted for two months and thereafter certificate was issued to the students. The students at para-83, 84, 85 and 86 have stated that they were imparted computer education only for 5 to 7 days and fraudulently their signature was taken on attendance register for two months. They have not benefited from this government scheme. The teachers have also stated the same fact regarding irregularity in imparting computer education at para-90 and 91.

7. From the fact which has transpired during the course of investigation it is evident that many students and teachers have supported the fact that full fledged computer course was not imparted to them for two months and their signature on attendance register were taken. Thus prima facie the petitioners being the headmasters of the respective schools at the relevant time appears to be in collusion with the NGO and misappropriated the public fund.
8. Considering the nature and seriousness of allegation, I am not inclined to admit the petitioners to anticipatory bail and hence the petition so filed on their behalf is hereby **rejected**.

(Dictated)
Sd/-
Principal Sessions Judge
Sheohar
17.03.2026