

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27221 of 2015

Arising Out of PS.Case No. -270 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

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Birendra Mahto, S/o Shiv Nandan Mahto, Resident of Village – Phulwaria,
P.S. Baruraj, District – Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Electricity Board through North Bihar Power
Distribution Company Limited.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 31-07-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
23.02.2015 in a case registered for the offences punishable under
Sections 406, 409 and 420 of the Indian Penal Code.

It is alleged that the petitioner was working
as Rural Revenue Franchise of North Bihar Power Distribution
Company Limited. It is alleged that the petitioner issued a receipt
to Surendra Kushwaha on 30.05.2014 acknowledging the receipt
of Rs.14,690/- but the said amount was not credited in the account
of the power distribution company.

It is submitted by learned counsel for the
petitioner that the petitioner has returned the amount to said

Surendra Kushwaha. The petitioner in other cases also issued receipt and misappropriated the amount. It is further submitted that amount has already been returned. Moreover, the investigation has already concluded.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Muzaffarpur in connection with Motipur P.S. Case No. 270 of 2014.

The bail bond of the petitioner shall be accepted on verification that the received amount alleged to have been misappropriated by the petitioner has already either credited to the power distribution company or return.

(Dinesh Kumar Singh, J)

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