

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38275 of 2015

Arising Out of PS.Case No. -412 Year- 2014 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Manoranjan Prasad Verma, Son of Late Rameshwar Prasad, Resident of Village- Bagmali, Police Station- Hajipur Town, District- Vaishali (A retired, Assistant in Nagar Parishad, Hajipur)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s : Mr. Braj Kishore Prasad(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-08-2015 Heard both sides.

The petitioner apprehends his arrest in a case under section 409 of the Indian Penal Code. The allegation against the petitioner is that he took charge of Rs.7,82,787.28 paise from the suspended cashier Mr. Ramakant Ojha on 27-5-2009 and 28-5-2009. The petitioner again handed over the charge to Mr. Ramakant Ojha but in spite of reminder given to the petitioner on 29-11-2012, as contained in Memo No. 2938 , the petitioner did not hand over the charge of money to Ramakant Ojha. An audit was held and in para-13 of the Audit Report No. 126/2011-12 it has been pointed out that petitioner Manoranjan Prasad Verma did not hand over Rs.7,82,787. 28 paise .

It is submitted that the petitioner did not take charge of any money. He took charge of vouchers from Ramakant Ojha and he handed over the same to Ramakant Ojha. It appears that the petition for anticipatory bail was earlier dismissed as withdrawn.

From the perusal of the F.I.R. it appears that the petitioner was reminded for non-handing of the charge of money which was taken by him from Ramakant Ojha. The Auditor also found misappropriation of the aforesaid amount. The voucher annexed as Annexure-3 shows disbursement in the year 2004 onwards before handing over charge by the petitioner to Ramakant Ojha.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on anticipatory bail. The same is rejected.

(Prabhat Kumar Jha, J)

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