

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10336 of 2015

Arising Out of PS.Case No. -74 Year- 2014 Thana -KOTWALI District- MUNGER

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Shambhu Kumar Soni Son of late Ram Padarath Sah resident of
Mohanpur(Sadar Bazar Masjid) P.S. Jamalpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar Through The Vigilance, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

For the Economic Offences Unit: Mr.V.N.P.Sinha, Sr.Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

9 29-07-2015 The petitioner is in custody since 16.01.2015 in

Special Case No.37/14 arising out of Munger Kotwali P.S. Case
No.74/14 for the offences under Sections 406, 409, 420, 467, 468,
471, 120(B) of the I.P.C., Sections 7,12, 13,14 of Prevention of
Corruption Act and Sections 65, 66(ii)/72 of I.T. Act.

Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State assisted by Sri V.N.P.
Sinha, Senior Advocate appearing for the Economic Offences
Unit.

The prosecution case, in brief, is that
misappropriation of Rs.1,70,82,000/- has taken place in the office
of the Excise Superintendent, Munger, which came to light during
audit of 2013-14. Vast discrepancies have been found after

verification of treasury challan and physical verification of actual amount deposited for which the Clerk and Head Clerk have been held responsible.

It has been submitted on behalf of the petitioner that he is in custody since 16.01.2015 and charge sheet has already been submitted. It is further submitted that as per the F.I.R. the total outstanding due is Rs.39,80,500/- against the petitioner. He has no criminal antecedent. It is further submitted that the petitioner is ready to deposit Rs.20,00,000/- before the concerned department within a period of six months.

It has been submitted on behalf of the State that the petitioner is named in the F.I.R. and total liability against the petitioner is Rs.39,80,500/-.

Considering the aforesaid facts and circumstances, the petitioner, above named, is directed to deposit an amount of Rs.20,00,000/- within a period of six months before the department concerned which shall be subject to the final disposal of the case, and on his doing so, let the petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance-II, Patna, in Special Case No.37/14 arising out of Munger Kotwali P.S. Case No.74/14 which shall be confirmed on

depositing Rs.20,00,000/-.



(Sudhir Singh, J)