

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48620 of 2014

Arising Out of PS.Case No. -128 Year- 2014 Thana -KHARAGPUR District- MUNGER

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1. Raj Kumar Prasad son of Late Sita Ram Bhagt retired Block Welfare Officer, Haveli Kharagpur, District - Munger, at present resident of Amarapara, P.S. - Amarapara, District - Pakur (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-08-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under sections 188, 403, 409 and 420 of the Indian penal Code.

Prosecution case is that that while the petitioner was posted as Block Welfare Officer, Kharagpur he was entrusted work for construction of boundary wall of Kabristan and for the said purpose he has been given an advance of Rs. 200000/- but he did not complete the work.

Learned counsel for the petitioner submits that out of Rs. 200000/-entrusted to the petitioner he has already invested huge money in the laying of foundation of the 28 pillars of boundary wall and the rest amount is lying with the

petitioner on account of the fact that there was some dispute between the two communities regarding construction of the boundary wall. Learned counsel further submits that the petitioner was restrained from making construction and there is no intention on the part of the petitioner to misappropriate the amount rather he has superannuated in November, 2012 and also willing to refund the amount.

Considering the nature of allegation made against the petitioner and the fact that the petitioner has received only Rs. 200000/- out of Rs. 9,59,000/- and has invested certain amount and further willing to return the rest amount, the above named petitioner in the event of his arrest or surrender within a period of three weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of S.D.J.M, Kharagpur, Munger in connection with Kharagpur P.S. Case no. 128 of 2014, subject to the conditions laid down under section 438(2) Cr.P.C.

(Anjana Mishra, J)

M.Rahman/-

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