

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30139 of 2015

Arising Out of PS.Case No. -68 Year- 2015 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Manager Singh Son of Sadhu Sharan Singh, posted as Jansevak,
Chhauradano Block, Resident of P.S. - Turkaulia, District - East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supplies Corporation Ltd., Motihari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 03-11-2015 A supplementary affidavit has been filed on behalf of

the petitioner.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, being the Jansevak in the State
Government and presently working on deputation as in-charge
Purchase Center, BSFC, Dhaka in the district of East Champaran,
apprehends his arrest in connection with Dhaka P.S. Case No. 68
of 2015 registered for the offences punishable under Sections 406,
409, 120(B), 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation of defalcation of Rs. 92,99, 478/- only has been made



against the petitioner. It is further submitted that the petitioner is the poor functionary of the Corporation and the allegation made against him is not tenable in view of the duties assigned to him. It is further submitted that petitioner is working in corporation on deputation and his salary as well as pensionary benefit is in the hands of the State machinery and can well be recovered from his emoluments.

Learned counsel for the BSFC submits that in view of the huge amount of defalcation alleged to have been made against the petitioner, it would not be justified to extend the privilege of anticipatory bail to the petitioner.

Learned counsel for the petitioner submits that since the petitioner is working in the hands of State authorities as well as BSFC, it will be best and in the interest of justice that part of his salary i.e 30 per cent of his monthly payment be attached henceforth, till the disposal/outcome of the case. The said amount deducted from the salary of the petitioner shall be subject to the outcome of the case.

Considering the facts and circumstances of the case and the bona fide offer made by the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on

furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran in connection with Dhaka P.S. Case No. 68 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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