

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2720 of 2015

Arising Out of PS.Case No. -477 Year- 2013 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Mirtunjay Kumar S/o Late Shatrudhan Roy R/o Village - Kalyanpur
Basti, P.S. - Mohiuddin Nagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 17-04-2015 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Admittedly, petitioner was working as Peon in

Government Girls High School Dalasing Sarai and it is stated that

the informant being Head Master of the aforesaid school issued a

cheque of Rs. 5 lacs in the name of the petitioner for withdrawal

of the above stated amount but petitioner fled away along with the

aforesaid amount of Rs. 5 lacs.

The contention on behalf of the petitioner is that no

doubt, cheque of Rs. 5 lacs was given to the petitioner for

withdrawal of the aforesaid amount but as a matter of fact, after

withdrawal of the said amount petitioner handed over the aforesaid

amount to the informant, who himself misappropriated the said amount and lodged the present case against the petitioner to save his skin.

The investigation of this case has already been completed but unfortunately, police failed to trace out the amount in question.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Dalasing Sarai, Samastipur in connection with Dalasing Sarai P.S.Case no. 477 of 2013.

(Hemant Kumar Srivastava, J)

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