

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28315 of 2015

Arising Out of PS.Case No. -560 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

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Barsa Hebram @ Barsa Hembram Son of Late Mandal Hembram Resident of Village - Chuchhi, P.S. - Barhet, District - Sahebganj (Jharkhand) At present posted as Clerk-cum-Typist, District Yojana, Lower Kiul Pariyojna Pramandal, CADA, District - Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar

For the Opposite Party : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 409 and 420 of the Indian Penal Code.

It is alleged that the accused being the clerk and typist (Cashier) of District Yojna, Lower Kiul Pariyojna Pramandal, Kada, Lakhisarai received Rs.71,67819/- for the construction of the boundary wall of Kabristan but the accused did not submit the expenses report to the department.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner is a Clerk-cum-Cashier in the office of Collectorate, Lakhisarai. Petitioner has been made accused due to mistake of fact. The entire

allegation is against the Executive Engineer and he has retired without submitting the expense bill. It is further submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to final dispose of the case.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.20,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S.Case No.560 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

B.Kr./-

(Sudhir Singh, J)

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