

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41854 of 2016

Arising Out of PS.Case No. -160 Year- 2016 Thana -GHOSI District- JEHANABAD

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1. Vijay Kumar son of late Kameshwar Prasad resident of Village- Dharaut,
P.S.- Makhdumpur, District-Jehanabad Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Sinha

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Ghosi (Okri O.P) Case P.S. 160 of 2016 registered for the offence punishable under Section 409 of the Indian Penal Code.

Allegedly the petitioner being Panchayat Secretary of Saistabad Panchayat, total Rs. 2,61,600/- took advance on different dates for distributing social security pension but in spite of lapse of two year neither he submitted vouchers nor he returned the said amount and it is presumed that he has misappropriated the government amount.

Submission is of false implication and the petitioner submitted voucher later on, but that there was not accepted by the concerned B.D.O., resulting, the petitioner has returned total amount of Rs. 2,61,600/- vide Annexure-2 and Nazir, Modanganj

Block received the said amount. The petitioner is suffering in custody since 27.07.2016 and as such he deserves sympathetic consideration to which the learned A.P.P., fairly submits that now the petitioner has refunded the said amount and as such lenient view can be taken.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the Learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi (Okri O.P) P.S. Case No. 160 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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