

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50357 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -ALAMGANJ District- PATNA

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Dr. Binod Shankar Prasad son of Late Ram Chandra Prasad resident of
Mohalla - Rambabu Chowk, P.S. Town, Samastipur, District - Samastipur,
At present Medical Officer, Civil Surgeon Office, Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitu Kumari

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-12-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 406 and 409 of the Indian Penal Code.

Allegation is that huge amount from the G.P.F. account
of the hospital staff has been withdrawn without their knowledge.

It has been submitted on behalf of petitioner that he is in
custody since 23.9.2016. Chargesheet has been submitted against
petitioner. Petitioner has got no criminal antecedent. He is not
named in the F.I.R. He has been made accused due to mistake of
fact. There is no substantive evidence to suggest his implication
in the present case. It is further submitted that petitioner is ready
to deposit the said amount of Rs.2,20,000/- in the court below
within a period of one month subject to the final disposal of the
case.

On behalf of the State, it is submitted that during the
course of investigation it has come that Rs. 2,20,000/- has been
transferred to the account of the petitioner with intention of



misappropriating the said money.

Considering the aforesaid facts and circumstances, it is directed that petitioner shall deposit Rs. 2,20,000/- in the court below within a period of one month which shall be subject to the final disposal of the case.

Let the above named petitioner be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Patnacity, in connection with Alamganj P.S. Case no. 164 of 2015.

If the aforesaid amount is deposited within the said period, provisional bail granted to the petitioner shall be confirmed by the court below. If petitioner fails to do so, the court below will be at liberty to cancel the bail of the petitioner.

(Sudhir Singh, J)

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