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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34879 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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Badri Prasad Mandal Son of Late Bhola Prasad Mandal Resident of Village-Hapua, P.S Pirpaitti, Dist Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Smt. Asha Devi, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends arrest in connection with Majorganj P.S. Case No. 43/16, G.R. No. 637/16 for offences alleged under Sections 406, 409, 420/34 of the Indian Penal Code.

Allegation is that petitioner being a Junior Engineer has embezzled a sum of Rs. 2,37,065/- on account of PCC work and the work relating to earth filling in relation to Public Works Department.

It has been submitted by the learned counsel for the petitioner that the petitioner was given notice on 10.02.2016 to deposit the said amount which has been alleged to have been embezzled by the petitioner immediately for which

petitioner has deposited the entire amount by challan No. 651583 dated 17.02.2016 but in a perfunctory manner written report has been lodged by the Block Development Officer, Suppi, against which First Information Report has been registered on 06.03.2016. He submits that no money is due against him and being a Government official he will cooperate with the investigation and that he has no criminal history, as is evident from paragraph 3 of this petition.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 Addl. Chief Judicial Magistrate, Sitamarhi, in connection with Majorganj P.S. Case No. 43/16, G.R. No. 637/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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