

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57330 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Rajesh Kumar Jha, Son of late Amar Nath Jha Resident of Mohalla- Adarsh
Nagar(Barihat),P.S Khajanchi Hat, District Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kr.,
Mr. Lalit Nr. Jha, Advocates
For the State : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 19-01-2016

Heard learned counsel for the petitioner and the

State.

Petitioner apprehends his arrest in a case filed

under Section 409 of the Indian Penal Code.

It is submitted that allegation is of defaulcation of

Rs.4,00,000/- of revenue which was being collected by him as Tax

Collector of Purnea Nagar Parishad. It is contended that petitioner

had invested about Rs.2,96,000/- for the purpose of removal of

garbage upon the written instruction of the Executive Officer. In

support of his claim, he has appended Annexure 3 series. It is

further contended that the petitioner is ready to return the rest

amount of Rs.1,04000/- without prejudice to his case and subject

to the result of the same. It is also contended that the police has

submitted final form exonerating the petitioner. However,

cognizance has been taken against him under Section 409 of the

I.P.C. It is also contended that a departmental proceeding was also initiated against him in which initially he was suspended but, subsequently, he has been exonerated and suspension has been revoked.

In the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today in Khajanchi Hat (K. Hat) P.S. Case No.90 of 2005, the above named petitioner, Rajesh Kumar Jha shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure with a further condition that the petitioner will deposit the amount of Rs.1,04000/- before the Executive Officer of the Nagar Parishad, Purnea within a period of three weeks and submit a receipt to the satisfaction of the court below showing such deposit. It is further clarified that payment made by the petitioner would be without prejudice to his case and subject to the result of the same.

(Dr. Ravi Ranjan, J)

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