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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45180 of 2015

Arising Out of PS.Case No. -32 Year- 2014 Thana -SURYAPURA District- SASARAM (ROHTAS)

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1. Saroj Kumar S/o. Sri Faguni Ram, resident of village- Ayar Kotha, P.O & P.S.- Darihat, District- Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anant Kumar-1
For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner was working as an Accountant on contract basis and allegedly he remained himself absent from his duty from 29.01.2014 and after that inventory of documents was prepared and it was detected that petitioner embezzled near about Rs. 50 lacs and also removed relevant registers and other documents.

Admittedly, the above stated cash was withdrawn from the Bank through cheques and at para-15 of the case diary, one witness namely, Dr. Shambhu Kumar disclosed the procedure for withdrawal of money stating that for withdrawal of money, the cheque is signed by In-charge Medical Officer and, subsequently, the aforesaid cheque is given to the petitioner to get it signed by

him and para-98 of the case diary reveals that I.O obtained photo stat copies of 15 cheques through which the amount had been withdrawn and subsequently, sent the aforesaid cheques to Forensic Science Laboratory, Patna for examination but without obtaining the report of F.S.L, the I.O submitted charge-sheet against the petitioner and, therefore, there is nothing in the case diary to show as to whether the aforesaid cheques were signed by the concerned officials or forged signatures were made on the aforesaid cheques. Moreover, petitioner is in jail custody since 15.06.2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,1st class, Bikramganj (Rohtas) in connection with Surajpura P.S.Case No. 32 of 2014.

(Hemant Kumar Srivastava, J)

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