

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7169 of 2016

Arising Out of PS.Case No. -83 Year- 2012 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

=====

Sharda Nand Pandey, Son of late Satya Narayan Pandey, Village- Radhiya,
P.S Govindganj, District East Champaran, State Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vipin Kumar Singh, Advocate

For the Opposite Party : Mr. Arun Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 17-05-2016 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Govindganj PS case no. 83 of 2012 for allegedly
having committed the offence under Sections 409, 420 of the
Indian Penal Code.

Case diary has been called for which has since
been received.

Learned counsel for the petitioner submits that the
petitioner has misappropriated money whereas no such allegation
was subsequently found to be true as the recipient have come
forward during the course of investigation to state that the money
alleged to have been misappropriated was subsequently given to
them by the Block Development Officer. Learned counsel for the

petitioner thus submits that actually no case of misappropriation is made out and it was only on account of the fault in the procedure which has caused the filing of the present complaint against the petitioner.

Learned counsel appearing on behalf of the State after referring to paras 37 and 38 of case diary submits that actually the recipients have now come forward to state that they have received the amounts which was due to them.

In view of the aforementioned facts and circumstances and the materials which have surfaced in the case diary, let the petitioner, abovenamed, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/ production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Govindganj PS case no. 83 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J.)

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