

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8825 of 2016

Arising Out of PS.Case No. -176 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

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Sudarshan Choubey son of Late Harihar Chaubey, Resident of Shantipuri
beside of Police Line, P.S.- Shantipuri, District- Dlatonganj (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 420 and 409 of the Indian Penal Code.

Allegation against the petitioner is of defalcation of
money.

It is submitted on behalf of the petitioner that he has got
no criminal antecedent. Petitioner has been made accused due to
mistake of fact. The total defalcation amount in question is said to
be Rs. 2,60,070/- only. Subsequently, after institution of the F.I.R.
the said amount was reversed back in the correct account. Hence,
as of date, there is no wrongful loss caused to the parties. It is
further submitted that petitioner is ready to deposit an amount of
Rs.25,000/- in the court below which shall be subject to the final
disposal of the case.

On behalf of the State, it is submitted that petitioner is
named in the F.I.R.

Considering the aforesaid facts and circumstances, it is
directed that petitioner shall deposit an amount of Rs.25,000/- in
the court below which shall be subject to the final disposal of the

case.

Let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on 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, Aurangabad, in connection with Navinagar P.S. Case no. 176 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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