

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16184 of 2016

Arising Out of PS.Case No. -17 Year- 2014 Thana -GHOSBARI District- PATNA

Ashwani Kumar S/o Late Lalji Prasad Vishwakarma, Resident of Village-Moriawan, P.S.- Bikram, District- Patna. Posted as Nazir cum Incharge Head Clerk at Block Office, Ghoshwari, P.S.- Ghoshwari, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Gajanan Mishra, Advocate.

For the Opposite Party/s : Mr. Ajay Kr. Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-07-2016 Heard both sides.

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

The informant, Circle Officer, Ghoswari, alleged that the petitioner in spite of written and oral orders did not produce ledger book and rent collection register to show that the amount collected is deposited in the Bank. It is alleged that the petitioner has misappropriated the amount. Learned counsel for the petitioner submits that the petitioner has submitted the ledger book and gave statement of depositing the money in the Bank. It is submitted that from Para 55 of the case diary, it appears that in the Year 2013-2014 the petitioner collected Rs. 3,20372.76. It is alleged that the petitioner has misappropriated Rs. 1,77,511.76. It is submitted that the petitioner has deposited the entire amount and

also submitted vouchers duly passed by the informant.

It appears that on mere statement of the informant that the petitioner did not submit the ledger book, the case has been lodged although it is claimed that the petitioner has already submitted the ledger book, cash book and vouchers.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ashutosh Kumar, Judicial Magistrate, 1st Class, Barh, Patna in Ghoswari P.S. Case No. 17/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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