

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51586 of 2016

Arising Out of PS.Case No. -663 Year- 2016 Thana -ARARIA District- ARRARIA

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Chandra Mohan Jha Son of Late Madhov Jha at Kali Bazar, Ward No. 23
Araria, P.S. Araria, District - Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Jha

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Araria P.S. Case No. 663 of 2016 for the offences instituted
under Sections 420, 406 and 409/34 of the Indian Penal Code.

The allegation against the petitioner is that he in
collusion with other co-accused misappropriated the government
fund showing false and excess number of the students in different
schools.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is a Clerk in the District Welfare Office,



Araria. He has been made accused due to mistake of fact. No public money as alleged has been misappropriated on his part. The list of the students for the scholarship was furnished to him by the Headmasters of the respective schools.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and he is involved in misappropriation of public money. There are as many as three cases of a similar nature pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. The same is rejected in connection with Araria P.S. Case No. 663 of 2016, pending in the Court of learned Chief Judicial Magistrate, Araria.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J.)

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