

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28136 of 2016

Arising out of PS.Case No. -235 Year- 2016 Thana -BETTIAH TOWN District- WEST
CHAMPARAN(BETTIAH)

Lakshman Prasad, Son of Late Ram Khelawan Mahto, resident of village -
Milky, P.S. Khanpur, District – Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Anand, Advocate.

For the Opposite Party : Mr. Sri Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 12.05.2016
in connection with Bettiah Town P.S. Case No. 235 of 2016 for
the offences instituted under Sections 409 and 420/34 of the IPC.

The prosecution story, in brief, is that the office staff of
the Transport Office, Bettiah, misappropriated a sum of Rs.
19,088/- after having change the date in the server and the amount
has not been deposited in the treasury. It is further alleged that
without any authority, tax was collected by the Computer Operator
and misappropriated the government revenue of Rs. 7,49,305/-.
The said amount has been misappropriated by accused Kundan

Kumar who was Data Entry Operator since 2014. It is further alleged that the petitioner being Programmer failed to inform about irregularity committed by the staff as such it is suspected that he was also in connivance with other office staff.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.05.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner is said to be the Programmer. Whatever data provided to the petitioner was uploaded in the computer. He had no knowledge regarding misappropriation of the public money being made. It is further submitted that the petitioner is ready to deposit an amount of Rs. 30,000/- in the court below which shall be subject to final disposal of the case.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 30,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand)

with two sureties of the like amount each to the satisfaction of the
learned C.J.M., Bettiah at West Champaran in connection with
Bettiah Town P.S. Case No. 235/2016.

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(Sudhir Singh, J)

