

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16291 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -BHAGWANPUR District- BEGUSARAI

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Anil Kumar Son of Anandu Mahto, resident of village- Chhapki, Via-
Rajaura, P.S.- Birpur, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Adv.

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 06-05-2016 Heard both sides.

The petitioner apprehends his arrest in Bhagwanpur P.S.
Case No. 196/2015, registered for the offences punishable under
Sections 406, 409 of the Indian Penal Code.

The informant, Assistant Postal Superintendent, Western
Sub-Division, Begusarai alleged that on 25.08.2015 during
inspection of Bhagwanpur Sub Post Office he found that as per
daily account, out of closing balance of Rs. 6,10,913/- only Rs.
52,238/- was found and Rs. 5,58,675/- was less. The petitioner
was found to have misappropriated the government money.

It is submitted that on the date of inspection itself the
petitioner admitted that he had spent the government money for
his own use without taking prior permission of the government.

However, he had already deposited the entire amount i.e., Rs. 5,58,675/- said to be defalcated by him.

Considering the facts aforesaid and the fact that the petitioner spent Rs. 5,58,675/- without taking prior permission of the government, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below then the learned court below shall consider his prayer for regular bail taking into consideration that he had already deposited the entire amount said to be defalcated by him.

(Prabhat Kumar Jha, J.)

Vinita/-

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