

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21470 of 2016

Arising Out of PS.Case No. -156 Year- 2001 Thana -LAHERIASARAI District- DARBHANGA

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Shambhu Prasad Son of Ram Prasad Resident of Village - Gidarganj, Police
Station - Bahadurpur, District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Verma, Advocate

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioner and State.

The petitioner apprehends his arrest in a case under sections 420/120B and other allied sections of the Indian Penal Code.

As per the F.I.R. Class-III and Class-IV employees of the Welfare Department, Collectorate and Remand Home along with the then incharge of Principal of Kamlaul College misappropriated Rs.6,31,853/- which funds were meant for scholarship and fees compensation heads of the said college.

Learned counsel for the petitioner submits that he has never been either a Class-III or Class-IV employees of the Welfare Department or Collectorate and Remand Home. Furthermore, his name figured in course of investigation after 14 long years. He submits that after delay, he has been sought to be

implicated, as at times, he was seen with the then incharge of Principal of Kamlaul College.

I find that the petitioner is not named in the F.I.R. and his name figured after long delay in investigation. He is also not a staff of Welfare Department or Collectorate or Remand Home.

In the circumstances, in the event of arrest/surrender, let the petitioner as mentioned above, be released on bail on furnishing bail bond of Rs.5000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga in PS. Case No. -156 Year- 2001 Thana –LAHERIASARAI, District- DARBHANGA.

Before parting with the order, I would like to express my anguish that even after 14 years the investigation of the case has not been completed.

Let the Superintendent of Police, Darbhanga ensure completion of the investigation, if still not completed, and steps be taken against the erring police officials and submit its report in this regard.

(Samarendra Pratap Singh, J.)

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