

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3395 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Shiv Shankar Sah, S/o late Satya Narayan Sah, R/o Vill. Mahmampur
Kesariya, P.S. Kesariya, Dist. East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 28-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kalyanpur P.S. Case No. 165 of 2016 registered under
Sections 409 and 120(B) of the Indian Penal Code.

The accusation against the petitioner and others is of
embezzlement of money allotted for construction of class rooms.

Learned counsel appearing on behalf of the
petitioner submits that the money has been sanctioned in the
financial year 2003-2004, but the F.I.R. is lodged after 12 years,
i.e. on 24.08.2016. Further submission is that it would appear from
the Annexure-2 to the application that money was handed over to
the then Chairman, Prabha Devi through cheque.

Having considered the facts and circumstances of the



case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.- 9th, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 165 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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