

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53655 of 2016

Arising Out of PS.Case No. -226 Year- 2015 Thana -ARA NAWADA District- BHOJPUR

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Rajnish Choudhary, Son of Ram Jee Choudhary, Resident of Village-
Belaur, P.S.- Udwantnagar, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate
Mr. Anant Kumar Pandey, Advocate
For the Opposite Party : Smt. Suman Kumari Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Sections 409, 420 of the Indian Penal Code.

It has been alleged in the written report filed by
Principal, Payahari Maharaj Jee College, Ara that petitioner, who
was peon in the Botany Department, took Rs.1,43,674/- from cash
counter to be deposited in the Account No. C.A.-118 but the
aforesaid amount was not deposited. The Principal and other
members of the college also stated in the written report that the
petitioner absconded.

It has been submitted on behalf of the petitioner that
there is no any paper to show that an amount of Rs.1,43,674/- was



received by or handed over to the petitioner to be deposited in the bank. As per written report, he was posted as Peon in the Botany Department and there was no any reason to take the amount from cash counter by him to be deposited in the account.

Learned A.P.P. has pointed out in para-38 of the case diary, wherein it is mentioned that Investigating Officer contacted the Principal during investigation then he informed that the Cashier was not in duty. The photo copy of Account No. C.A.-118 was demanded by the Investigating Officer, but the same was not made available to the I.O. by the Principal. Petitioner is said to be in custody since 21.09.2016.

Considering the aforesaid facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Arrah Nawada P.S. Case No. 226 of 2015, subject to the condition that both the bailors will be the close relative of the petitioner.

(Sanjay Priya, J.)

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