

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43420 of 2016

Arising Out of PS.Case No. -228 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Sita Ram Prasad @ Sri Sita Ram Prasad son of Multam Prasad Kharwar
Resident of Vilage- Hatta, P.S.- Chainpur, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

7 24-03-2017

Heard both sides.

The petitioner seeks bail in Chainpur P.S. case No. 228 of 2015 under Section 409, 419,420 of the Indian Penal Code.

While the petitioner was posted as Sub Postmaster at Chainpur Sub-post office from the year 2013 there was illegal withdrawal of Rs. 32 lakh from the account of MANREGA of different persons.

The learned counsel for the petitioner submits that in fact in calculation Rs. 5 lakh was twice added and only Rs. 27 lakh excess payment was made to different persons from the account of MANREGA. It is further submitted that about Rs. 1, 34,000/- was illegally withdrawn during the predecessor of petitioner and, therefore, during the period of petitioner only about Rs. 25,65,000/- was withdrawn and out of which, on account of persuasion made by the petitioner, Rs. 8,48,358/- was deposited and again Rs. 3,21,000/- was deposited thereafter. Now only about



Rs. 13, 50,000/- is to be deposited. It is submitted that petitioner has already been granted provisional bail vide order dated 09.11.2016 and the same was extended till 24.03.2017 by this court on 09.03.2017. The petitioner is ready to persuade the persons who had illegally withdrawn money from the account and to deposit the same within four months and if they do not deposit the amount, the petitioner would deposit the rest amount by the end of four months.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate, Kaimur at Bhabhua in Chainpur P.S. Case No. 228 of 2015, subject to condition that petitioner shall deposit the remaining amount of Rs. 13,50,000/- within four months, failing which the learned court below shall cancel the bail bonds of the petitioner after four months.

(Prabhat Kumar Jha, J)

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