

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39308 of 2017

Arising Out of PS.Case No. -245 Year- 2017 Thana -KADAMKUAN District- PATNA

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Ram Prabesh Singh, S/o Late Mahadev Singh, R/o Kewata Dariyapur P.S. Bhagwanganj (Masaurhi), Dist. Patna at present Sipara Malkhan, Sheikhpura, Dhelwan, P.S. Jakkanpur, Dist.- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar, Adv.

For the Opposite Party/s : Smt Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in connection with Kadamkuan P.S. Case No. 245 of 2017 registered for the offence(s) punishable under section(s) 406, 420 and 379/34 of the Indian Penal Code.

The informant has alleged that he had engaged this petitioner as Admission Incharge of his Coaching Institute. He was working in his Institute since last five years and in course of service, he collected money from the students and misused the same. He has further alleged that the petitioner, in absence of the informant, took an amount of Rs. 50,000/- from his drawer and escaped.



The learned counsel for the petitioner submits that the allegation of misappropriation of money is vague, as no specific date of any misappropriation has been mentioned in the written report. It has further been submitted that the informant has lodged the present case only for the reason that he was demanding increase of his salary and also arrear of his salary.

The learned Additional Public Prosecutor, on the other hand, opposed the submission.

On going through the FIR, I find that no specific date of misappropriation of money has been mentioned in the written report. Allegation of misappropriation of money is vague as account of income and expenditure of the petitioner has been mentioned in the written report.

Considering the nature of allegation, facts and circumstances, as stated above, this application for anticipatory bail is allowed.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, 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 the learned Additional Chief Judicial Magistrate-cum- Sub Judge-VII, Patna in connection with Kadamkuan P.S.



Case No. 245 of 2017, subject to the condition as laid down under
Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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