

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43452 of 2017

Arising Out of PS. Case No. -37 Year- 2017 Thana -SASARAM TOWN District- SASARAM
(ROHTAS)

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1. Nawal Kishor Choudhary, S/o Late Rameshwar Choudhary, Resident of
C/o-Surendra Prasad, UCO Bank Colony (Near Mithapur Bus Stand), P.S.
Jakkanpur, District-Patna. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 19-09-2017

Heard both sides.

The petitioner apprehends his arrest in Sasaram
Town P.S. case No. 37 of 2017 for the offences punishable under
Section 409, 420 of the Indian Penal Code.

The Executive Engineer, Rural Works Department,
alleged that Lakshman Kumar Singh, contractor, was to construct
road and in pursuance of the agreement Lakshman Kumar Singh
deposited security amount worth Rs. 2,90,000/- in the form of
NSC but Lakshman Kumar Singh did not construct the road and
the agreement was cancelled on 05.08.2013 and the security
money was ordered to be forfeited but it transpired that Sundrika
Prasad, the then Executive Engineer, Jagdish Prasad, the then
Divisional Accounts Officer and Nawal Kishore Choudhary, the
then divisional Cashier, handed over the entire NSC worth Rs.



2,90,000/- to Lakshman Kumar Singh without any order.

The learned counsel for the petitioner submits that petitioner was Accounts Clerk and vide order dated 22.02.2013 he was directed to hand over charge of Cashier to Raman Kumar Mishra, LDC. Raman Kumar Mishra took charge of Cashier from the petitioner on 18.03.2013 and the NSC was handed over to the contractor on 25.09.2013.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Town P.S. case No. 37 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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