

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55914 of 2017

Arising Out of PS.Case No. -829 Year- 2016 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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Santosh Dubey, Son of Jagarnath Dubey, Resident of Village- Alampur,
P.S.- Baddi, district- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanhaiya Pandey

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-11-2017

Heard the counsels for petitioner, the informant

and the State.

The petitioner seeks bail in connection with
Sasaram (Model) Town P.S. Case No. 829 of 2016 dated
22.07.2016 instituted for the offences under Sections 408, 419,
420, 468 of the Indian Penal Code.

The petitioner, who was working as fee
collection clerk in the school of the Informant since 2011 is
alleged to have misappropriated the fee collected by him from the
students of the school from February, 2016 to June, 2016.

From the narration made in the F.I.R, it is not
clear as to what amount was misappropriated. The F.I.R was
lodged when the informant was made known of the
misappropriation by the petitioner by the other functionaries of the



school.

Learned counsel appearing for the petitioner has submitted that the petitioner has been made scapegoat by the school administration as he had protested against the non-payment of salary to the employees of the school.

From the records, it does not appear clearly as to what amount was defalcated by the petitioner. A general assessment of defalcation of Rs. 1,00,000/- has been stated in the F.I.R without there being any specific instance or the details of such misappropriation.

The petitioner is in custody since 31.08.2017.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Sasaram Town P.S. Case No. 829 of 2016.

(Ashutosh Kumar, J)

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