

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21510 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

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Prasant Kumar, Son of Sri Jai Prakash Singh, Resident of Village- Tarari,
Police Station- Daudnagar, District- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.
2. The Managing Director, South Bihar Power Distribution Company Limited.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Daudnagar P.S. Case No. 213 of 2016 for the offences
instituted under Section 409 of the Indian Penal Code.

The allegation against the petitioner is that being a
employee of Electricity Department, has collected revenue from
his allotted area and he has to deposit the same but he has not yet
deposited the money, in spite of several notices and thus, he
defalcated the total amount of Rs. 135882.70 including interest.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The State revenue collected was not deposited by the petitioner on time. From perusal of Anneuxre-2, it is evident that the petitioner had already deposited the amount in question with the competent authority.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Daudnagar P.S. Case No. 213 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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