

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19028 of 2017

Arising Out of PS.Case No. -384 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Shiv Nandan Sahu Son of Chathu Sah, Resident of Village-Kamla,
Manjaual, P.S.-Cheriya Bariyarpur, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Begusarai
Town P.S. Case No. 384 of 2016 instituted for the offence under
Section 406 of the Indian Penal Code.

As per written report, during audit, it was found that
for the financial year 2008-09 and 2007-08, total amount of
Rs.7,98,624/- was misappropriated by the petitioner.

The counsel for the petitioner has submitted that the
petitioner was in Jail from October, 2006 to February, 2010 in
connection with Town P.S. Case No. 107 of 2006. Therefore, no
defalcation can be done by the petitioner during the aforesaid
period.

From the written report it is apparent that the



petitioner has misappropriated the money during financial years 2008-09 and 2009-10. The informant has enclosed the documents in support of the allegation showing the amount misappropriated by the petitioner.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which shall be considered by the court below on the same day in accordance with law after taking the submission made by the petitioner as mentioned above.

S.Ali/-

(Sanjay Priya, J)

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