

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36692 of 2017

Arising Out of PS.Case No. -405 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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Shailendra Gupta, son of Late Deo Narayan Prasad Gupta @ Late Dev Narayan Gupta, R/o Village- Mogal Bazar, P.S.- Munger, District- Munger, Prsently Working in Block Officer Arari, P.S.- Ariari, District- Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. S.P.S. Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Barbigha P.S.Case No. 405 of 2016 registered for the offence under Section 409 of the Indian Penal Code.

Allegation against the petitioner is of defalcation of amount of Samajik Suraksha Pension Scheme.

Submission of learned counsel for the petitioner is that no case under Section 409 IPC is made out and even B.D.O., who is the main authority, has not been made accused in this case and the material collected during course of investigation does not support the prosecution case.

Heard learned APP also.

Having heard both sides and in view of the facts and



circumstances, let petitioner, above named, surrender and make prayer for regular bail before the court below, which shall be considered on the basis of materials in the case diary and disposed of without being prejudiced by this order.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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