

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45891 of 2017

Arising Out of PS.Case No. -325 Year- 2016 Thana -GHOSI District- JEHANABAD

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Ramesh Kumar Sharma S/o Late Dharendra Nath Sharma R/o Village-Sipah, P.S. Arwal District-Arwal at present residing at Unta Madarpur, ward no. 5, P.S.-Jehanabad, District-Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and APP for the State.

The petitioner seeks bail in connection with Ghosi P.S. Case no. 325 of 2016 registered for the offence punishable under Sections 409, 420 and 34 of the Indian Penal Code.

As per prosecution case, Jagdish Prasad retired Basic Health Worker, Primary Health Centre Okari withdrew Rs. 1,13,700/- during the strike period and he again withdrew Rs. 1,46,205/- arrear of Sixth Pay which has already been withdrawn by him. The petitioner (Ramesh Kumar Sharma) Clerk Primary Health Centre, Okari in collusion of other accused persons has prepared the bill for withdrawal of said amount.

It is submitted by the learned counsel for the petitioner



that earlier, the clerk of the said Centre was one Sanjeet Kumar, who had prepared the Bill for the payment of the amount to Jagdish Prasad on earlier occasion. The said Sanjeet Kumar did not hand over the charge to the petitioner in spite of direction of the Medical Officer and in the meantime, Jagdish Prasad applied for the payment of alleged amount along with an affidavit and as the petitioner was not aware of the first payment for want of document which is not handed over to him by Sanjeet Kumar, he prepared the bill in view of the order of the then Medical Officer, Okari. Moreover, Civil Surgeon has directed the Medical Officer to issue no dues certificate in favour of Jagdish Prasad after deducting the excess amount withdrawn by him. The petitioner has been languishing in custody since 04.08.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad in connection with Ghoshi P.S. Case No. 325 of 2016.

(Prakash Chandra Jaiswal, J)

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