

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8729 of 2017

Arising Out of PS.Case No. -452 Year- 2016 Thana -BIHTA District- PATNA

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Udai Sharma, Son of Late Hriday Singh, Resident of Village-Harpura, P.O.
Mohammadpur, P.S.Bikram, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anita Kumari

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

12 06-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Bihta P.S. Case No. 452 of 2016 registered for
offences under sections 406, 420, 467 and 471 of the Indian Penal
Code.

An allegation has been made that the petitioner, even
after superannuation on 29.2.2016 as a Panchayat Secretary, has
withdrawn money on 2.5.2016, 1.6.2016 and 21.5.2016.

The petitioner is claiming of his re-employment on the
basis of letter dated 15.6.2016 but, the letter no. 2157 dated
25.7.2016, discloses the petitioner was not re-employed.

An allegation has been made that the petitioner has



exceeded his jurisdiction which constitutes offence but, this Court had called for the case diary, on perusal of the same, no allegation is made out that the petitioner has misappropriated or misused the money.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Udai Sharma, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Danapur, Dist. Patna in connection with Bihta P.S. Case No. 452 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the condition that the petitioner will remain present as and when the police will call for his interrogation and if fails to report to the I.O., the prosecution will be at liberty to take steps for cancellation of the bail.

(Shivaji Pandey, J)

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