

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.72762 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- GANDHIMAIDAN District- Patna

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Jitendra Singh Rawat @ Jitendra Singh, aged about 42 years, Son of Late
Vikram Singh Rawat, Resident of House No. 56/2, Canal Road, Jakhan, P.S.-
Dehradun, District- Dehradun, State- Uttrakhand.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Swastika, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 20-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Gandhi Maidan P.S. Case No.

06 of 2018, dated 05.01.2018, instituted for the

offences under Sections 409 and 420/34 of the Indian

Penal Code.

On the instructions of the Director of National

Institute of Loco-motor Disabilities (Divyangjan), the

Assistant Director (Training) of the aforesaid institute



has lodged the subject F.I.R. alleging that the Composite Regional Rehabilitation Centre, Patna works under the administrative control of the National Institute of Loco-motor Disabilities and during the audit of the aforesaid for the period 2016-17, there appeared to be a mis-match in the accounts leading to an inference that some amount has been embezzled. The F.I.R. has been registered against several persons including the petitioner. The petitioner is stated to be the Orientation and Mobility Instructor, who has been appointed on a contract basis at the Patna centre.

Ms. Swastika, the learned Advocate for the petitioner has drawn the attention of this Court to the averments made in the F.I.R., which clearly indicate that the allegation has been raised only on the basis of suspicion and not on actual accounting. It has further been submitted that the post on which the petitioner worked for a while in the Regional Centre, did not obligate him to keep records of the deposits/receipts in the centre. The capacity of the petitioner in the



aforesaid Regional Centre was of Orientation and Mobility Instructor, which primarily deals with training to physically disabled persons.

Ms. Swastika, the learned Advocate, has further drawn the attention of this Court to Annexure-5 to this application by which one of the accused persons, who at the relevant time was posted as Lecturer and In-Charge Officer of the Centre, has been granted anticipatory bail by a Bench of this Court *vide* order dated 22.06.2018 passed in Cr. Misc. No. 24655 of 2018.

Regard being had to the aforesaid facts especially the accusation being only on the basis of suspicion, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of learned Sub-Judge-XVII-Cum-A.C.J.M., Patna in connection with Gandhi Maidan P.S. Case No. 6 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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