IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33566 of 2018
Arising Out of PS.Case No. -99 Year- 2015 Thana - PALIGANJ District- PATNA

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Dineshwar Singh Vidyarthi @ Dineshwar Kumar Vidyarthi S/o Late Ram Chandra Yadav, R/o Vill.- Gopalpur, P.S.- Bikram, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rama Kant Jha
For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-07-2018 The petitioner seeks bail in anticipation of his arrest in connection with Paliganj P.S. Case No. 99 of 2015 dated 24.05.2015 instituted for the offences under Sections 409, 201 of the Indian Penal Code.

It has been alleged in the F.I.R that the petitioner, in his capacity as In-charge Circle Nazarat had obtained Rs. 1,83,000/- as advance which was neither spent during his tenure of service nor was it adjusted in accounts.

The learned counsel for the petitioner has submitted that the present F.I.R has been lodged after about four years

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of the retirement of the petitioner and after about five years of his relinquishing the charge of the Circle Nazarat. It has further been submitted that petitioner, at the relevant time, was directed by the superior authority to take the charge of the Circle Nazarat from one Ram Sohan Thakur but unfortunately aforesaid Ram Sohan Thakur did not hand over the charge to him. On several representations having been filed by the petitioner regarding criminal breach of trust by aforesaid Ram Sohan Thakur, the petitioner was handed over the charge. The allegation which was raised by the petitioner against Ram Sohan Thakur was directed to be enquired for which Ram Sohan Thakur had manhandled the petitioner at one point of time. The learned counsel for the petitioner has also submitted that no advance was taken by him and therefore he does not have any idea that the amount so shown as advance from the Circle Nazarat was required to be adjusted.

Considering the aforestated facts, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Danapur, Patna in connection with

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Paliganj P.S. Case No. 99 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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