

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14691 of 2018

Arising Out of PS. Case No.-105 Year-2017 Thana- BELDAUR District- Khagaria

Umesh Sharma S/o Lakhan Lal Sharma , R/o Village- Sarswati Nagar, Itmadi,
P.S.- Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 09-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in **Beldaur P.S. Case No. 105 of 2017** registered for the offence punishable under Sections 409 and 420 of the Indian Penal Code.

Informant is the General Manager of Samekit Sahkari Vikash Pariyogna, Khagaria, who in his FIR has stated that the petitioner who was president of PACS at the relevant time had withdrawn sum of Rs. 4,95,000/-for construction of godown and Rs. 50,000/- for construction of Chabutra but the construction is at lintel level only and amount withdrawn by the petitioner has been misappropriated by him.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. The



informant in his deposition before the trial court has accepted that godown has been fully constructed and now no money is due against the petitioner and Rs. 50,000/- for construction of Chabutra has not been withdrawn by the petitioner and same is lying in the bank account. It has further been submitted that petitioner has got no criminal antecedent and is in custody since 15.07.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-IIIrd, Khagaria** in connection with **Beldaur P.S. Case No. 105 of 2017.**

(S. Kumar, J)

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