

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19408 of 2018

Arising Out of PS.Case No. -33 Year- 2017 Thana -PIPRIYA SAHAYAK District- LAKHISARAI

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Ashok Das S/o Bishundeo Das, R/o Village and P.O.- Ramchandarpur, P.S.-
Pipariya, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Pipariya P.S.Case No. 33 of 2017 registered for the offences
punishable under Section 409 of the Indian Penal Code.

Allegation against the petitioner is of defalcation of
Rs.8,12,625/- which has been allotted to him for construction of
school building.

Submission of learned counsel for the petitioner is that he
has purchased the materials from the said amount but it was found
that the land upon which construction was to be made is
encroached land and for that he has made complaint to the Circle
Office and B.D.O.. Further submission is that he is still ready to
return the said amount if some reasonable time is granted to him.



Heard learned APP also.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks from the receipt of this order along with a Bank Draft for Rs.2,12,625/- in favour of District Programme Officer and on such deposit the court below will release the petitioner on bail provisionally for a period of three months on the condition that he will continue to pay the rest of the amount in equal three instalments to be deposited in first week of every month, failing which his bail bond shall be cancelled. It is made clear that once the total amount is deposited, the court below will confirm his bail bond and the payment will be subject to the result of the case.

(Vinod Kumar Sinha, J)

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