

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11053 of 2018

Arising Out of P.S.Case No. -172 Year- 2015 Thana -BUDDHACOLONY District- PATNA

=====

Subash Kumar Sharma S/o Sri B.N. Sharma, R/o Sakri Gali, Akbarpur,
Bhagat Singh Lane, Road No.3A, Patli Gram, Bajrangpuri, Gaighat, P.S.-
Alamganj, District and Town of Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Rana Randhir Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Budha
Colony P.S.Case No. 172 of 2015 registered for the offences
punishable under Sections 406 and 420/34 of the Indian Penal
Code.

Allegation against the petitioner is of committing
misappropriation of Government money.

Submission of learned counsel for the petitioner is that he
has been given Rs.21 lakh and odd for construction of work, out of
which he has spent Rs.18,79,500/- and rest of the amount of
Rs.1,25,000/- was paid to him as personal loan, as such, there is no
defalcation on the part of the petitioner.

Heard learned APP also.



Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to learned trial court to verify the submission of learned counsel for the petitioner by calling case diary and other materials and in the meantime he will release the petitioner on provisional bail to his own satisfaction. Once learned trial court is satisfied with the explanation, he will confirm the bail bond, otherwise he will be free to pass any other order(s) as he may deem fit and proper.

(Vinod Kumar Sinha, J)

spa/-

U			
---	--	--	--

