

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52895 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Vishal Anand, Son of Bharat Prasad, resident of Mohalla Gautam Nagar,
behind A.S. College, Bikramganj, Ward No. 12, P.S. Bikramganj, District-
Rohtas. Ex. Data Centre Operator, Primary Health Centre, Bikramganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subash Kumar, Advocate.

For the Opposite Party : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 420 and 409 of the IPC.

The prosecution story, in brief, is that in light of
order passed by Hon'ble Lokayukt, the informant being the Civil
Surgeon-cum-C.M.O. directed for recovery of an amount of Rs.
10,26,201/- from the petitioner, Ex-Data Centre Operator, PHC,
Bikramganj which has been paid to him as honorarium and in
failure to deposit the said amount within prescribed period in the
Government Treasure then institute FIR in the local police station.
It is further alleged that Rs. 6,52,348/- has been paid to the



petitioner as honorarium and other expenses and vide Memo No. 135 dated 15.03.2018 and Memo No. 173 dated 06.04.2018 directed to deposit the amount Rs. 6,52,348/- in N.H.M. A/C No. 33803308258 of P.H.C. Bikramganj but up till now the said amount has not been deposited by the petitioner in Government Treasure.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The place from where the petitioner has taken training of Data Operator, a certificate has been issued in respect to training given to the petitioner. The certificate in question has wrongly been doubted by the informant. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,000/- (Rupees Twenty Thousand Only) in the court below which may be subject to final disposal of the case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 20,000/- (Rupees Twenty Thousand Only) in the court below



which shall be subject to final disposal of the case. On doing so, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Bikramganj, in connection with Bikramganj P.S. Case No. 125 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

