

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40348 of 2018

Arising Out of PS.Case No. -109 Year- 2018 Thana -BANKA District- BANKA

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1. Shailendra Kumar S/o Late Ramdeo Singh R/o Village - Bara Sirisi near Kalyan Dipa, P.S. Harnaut, District - Nalanda (Bihar) At present R/o Mohalla Belabagan near Durgabari, P.O. + P.S. Deoghar, District - Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Banka P.S.Case no.109 of 2018 registered for offences punishable under Sections 420 & 409 of the Indian Penal Code.

Allegation against the petitioner, who happens to be Nazir, is of defalcation of Rs.92,06,200/-, which is government money. It is alleged that he has deposited cheques in his account.

Submission of the learned counsel for the petitioner is that after six years, the case has been lodged and whatever he has done he has done on the direction of his superior authority and he has not used the amount for his personal expenditure.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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