

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1000 of 2019

Arising Out of PS. Case No.-27 Year-2016 Thana- SALAIYA District- Aurangabad

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Santosh Kumar S/o Karmu Paswan R/vill-Maran Bigha, P.S-Salaiya, Dist.-
Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Iftekhar Mahmood

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 17-01-2019 Heard learned counsel for the applicant and the
learned A.P.P.

The charge is of misappropriation and alleged embezzlement of certain funds that was received for the construction of a school building. It is admitted by the applicant that the said sum of money was transferred to the account of the applicant. It is urged by the learned counsel that, as a matter of fact, the money is still there without having been utilized by the applicant and, therefore, there was no intention on the part of the applicant to embezzle the amount in the background that the school building could not be constructed on account of a dispute amongst the villagers themselves with regard to the site of the construction.

The applicant undertakes to deposit the entire amount



together with whatever interest has accrued thereon with the District Programme Officer in whatever manner it is desirable.

It is stated that since the applicant is in service, there is no likelihood of his absconding or violating the terms of bail granted by this Court.

In the background aforesaid, in the event the applicant tenders the amount of Rs.14,01,588, which is alleged to be the embezzled amount, through a transaction as desired by the District Programme Officer, the applicant above named be released on bail on furnishing bail/bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Salaiya P.S. Case No. 27 of 2016, subject to the condition that the applicant shall make the arrangement for tendering the amount from jail custody itself.

(Amreshwar Pratap Sahi, CJ)

Nasimul/K.C.Jha

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