

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52783 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- SAKRI District- Madhubani

NAGENDRA KUMAR SINGH Son of Late Baidyanath Singh Resident of Village - Mukundpur, P.O. and P.S.- Ekma, District - Saran at Chapra, the then Senior Regional Office, Biscoman, Darbhana, Pandaul, Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Regional Officer, Biscomaun, Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Adv.

Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr.(Dr.) Indihar Kumari, APP

Mr. Vikas Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

10 10-12-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sakri P.S. Case No. 28 of 2019, corresponding to G.R. No. 366 of 2019, disclosing the offence under Sections 406, 420 of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as Senior Regional Officer, BISCOMAUN, Darbhanga. He has attained the age of superannuation in 2016. While serving BISCOMAUN after his reemployment on contractual basis, he is alleged to have misappropriated a sum of Rs. 5,97,000=00.

While denying the allegations made in the First Information Report, learned counsel appearing on behalf of the



petitioner has submitted that there is no chance of the petitioner fleeing away from the course of investigation or trial and so far the amount alleged to have been misappropriated by him is concerned, the petitioner is entitled to receive more amount than what is alleged to have been misappropriated by him against the arrears of salary and other dues from BISCOAUN. On the basis of instructions, which he has received from his client, learned counsel for the petitioner has submitted that he will not raise any claim for payment of arrears till conclusion of the trial.

Considering the fair stand taken on behalf of the petitioner, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in Sakri P.S. Case No. 28 of 2019, corresponding to G.R. No. 366 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to



appear before the court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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