IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50784 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- KAKO District- Jehanabad

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Mirtunjay Kumar Son of Shri Getta Sharma Resident of Village- Jaikishunbigha, Police Station- Ghoshi, O.P.- Okari, District- Jehanabad.

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Ranjan
For the Opposite Party/s : Mr. Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in connection with Kako P.S. Case No. 46 of 2019 registered for the offence punishable under Sections 420 and 409 of the Indian Penal Code.

Petitioner, who happens to be Block Supervisor of Lohiya Swakshta Abhiyan is said to have defalcated government money by withdrawing money without making lavatory by the beneficiaries and also making payment in the different account of three named beneficiaries.

It is submitted by learned counsel for the petitioner that so far as the allegation of withdrawal of money by the petitioner without construction of lavatory by the beneficiaries is concerned, the said allegation is vague and regarding withdrawal of money by making payment in different account of three other named

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beneficiaries after construction of lavatory of the aforesaid beneficiaries, petitioner had forwarded the completion certificate along with account number of the said beneficiaries to the B.D.O. Office, Kako for payment to them, and payment was transmitted by the computer operator on the direction of the said B.D.O., who is in possession of logging password for NEFT transfer. The entry of wrong account number of the aforesaid beneficiaries was done in the office of B.D.O., Kako and the petitioner has no access to the aforesaid system and has been made scapegoat. Petitioner has no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Jehanabad in connection with Kako P.S. Case No. 46 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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