

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58600 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- SHEKHPURA District- Sheikhpura

Raushan Kumar, Son of Late Raghunandan Das Clerk, Joint Director (Agriculture) Office Bhagalpur Division, Then Posted as Nazir Dist.- Agriculture Office Sheikhpura, P.S.- and Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-09-2019 This is an application for grant of anticipatory bail in connection with Sheikhpura P. S. Case No.274 of 2019, disclosing offence under Section 409 of IPC.

Petitioner was Nazir in the office of District Agriculture, Sheikhpura and he has been transferred from that place to Bhagalpur, but he has not handed over the charge as well as charge of accounts. Further allegation is that from the perusal of the account register, it appears that Rs.2973,798.49 has been deposited through the *NEFT* in different banks, but no detail has been mentioned for that and as such, it appears *prima facie* that he has misappropriated the amount.

Submission of the learned counsel for the petitioner is that he is ready to handover the charge and allegation of misappropriation is false and concocted.

Heard learned A.P.P. also.

Having heard both sides, considering the above



submissions, let the petitioner, above named, surrender before the court below within a period of two weeks from the date of receipt of certified copy of this order, on surrender, he will be released on provisional bail till the submission of charge sheet on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Sheikhpura, in connection with Sheikhpura P. S. Case No. 274 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

In the meantime, he has to co-operate in the investigation as well as handing over the charge as well as charge of accounts.

It is also made clear that once after investigation, charge sheet has been submitted against him, he has to surrender before the learned court below and make prayer for regular bail, the same shall be considered on the basis of the materials available on the record at that time.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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