

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75147 of 2019

Arising Out of PS. Case No.-24 Year-2013 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SHIV SHARAN DAS Son of Late Phoolchand Das Resident of Village -
Atardah, P.S.- Sadar, Distt.- Muzaffarpur, At Occurrence time Posted as Lab
Technician P.H.C. Mushahari, In the Distt. of Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar Sinha

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 05-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Muzaffarpur Town P.S. Case No. 24/2013 registered for the
offense punishable under Sections 409/420/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
present petitioner is working only as a Lab Technician in the
District Malaria Office, Muzaffarpur, and since 2010 and during
this period between 2010-11, on some occasions, the petitioner
was made In-charge of the accounts on only two days of the
week. Learned counsel for the petitioner submits that as per the
direction of the District malaria Officer, Muzaffarpur, dated



13.04.2011, the petitioner handed over the charge including the unused cheque leaves along with the volume of the used cheque to Mr. Ram Kumar, the present Clerk in the District Malaria Office, Muzaffarpur, and the document of charge of giving/taking was prepared on 13.04.2011 itself in which this petitioner and one Ram Kumar had duly attested. Learned counsel for the petitioner further submits that the entire withdrawal are after the said period i.e. in the year 2012 and, therefore, the petitioner has no concern with any such withdrawal. Learned counsel for the petitioner next submits that the District Malaria Officer on filing of the present case has deposited Rs. 2,00,000/- (two lacs) out of the total amount of Rs. 3,40,000/-(three lacs forty thousand), but the present petitioner has nothing to do with either the withdrawals or any such defalcation. He further submits that the petitioner has had an unblemished career and he has no criminal antecedents.

In view of the aforementioned facts and circumstances, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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, Muzaffarpur in connection with Muzaffarpur Town
P.S. Case No. 24/2013, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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