

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3317 of 2020

Arising Out of PS. Case No.-274 Year-2019 Thana- DESARI District- Vaishali

Subhash Prasad Singh Son of Late Garjan Singh Resident of Village -
Khilwat, P.S.- Bidupur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 21-09-2020 This matter has been taken up through Video
Conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
409/420/467/468/471/474/34 of the Indian Penal Code.

The prosecution case is that a four member inquiry
committee found misappropriation and embezzlement of
public fund by the respective Panchayat Secretaries in
between 2006 to February, 2019. The FIR was lodged on
08.08.2019.

Learned counsel for the petitioner submits that as



per inquiry report allegation against the petitioner is that when he made over charge on 03.06.2019 to successor Panchayat Secretary Mr. Abdhesh Kumar, the petitioner did not submit all the documents in his custody which would have revealed whether there was an embezzlement or not.

Learned counsel for the petitioner has produced a copy of the charge report through supplementary affidavit which reveals that several registers and files were submitted to the successor panchayat secretary and there is no specific allegation as to which of the file or register not submitted.

A copy of the charge report is Annexure-3 attached with the supplementary affidavit.

Considering the aforesaid material, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Desari Police Station Case No.274 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully



cooperate with trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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