

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26735 of 2020**

Arising Out of PS. Case No.-246 Year-2014 Thana- KISHANGANJ District- Kishanganj

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SUBHASH CHANDRA DEV @ SUBHASH DEO, S/o- Baijnath Dev @
Baidya Nath Deo, Resident of Village- Bihra, Ward No.08, P.S.- Bihra,
District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

2 06-11-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Kishanganj P.S. Case No. 246 of 2014 for the offence under Sections 406, 409 and 420/34 of the Indian Penal Code.

In the instant case allegation is that the scheme of solar light was not found in the book published under the B.R.G.P. annual work programme and, as such, the petitioner and the others were involved in defalcation of the amount in the aforesaid scheme in 2010-11.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that petitioner is now retired from the post of Revenue clerk. He also submits that purchase was made not by this petitioner alone but high-ups were involved in the process of purchase of solar light. The F.I.R. in this case was lodged on 22.05.2014.



Considering the fact that the petitioner is now retired and the purchase of solar light relates to 2010-11, for which F.I.R. was lodged in 2014, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of communication of the order, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 246 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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