

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33072 of 2020**

**In
CRIMINAL MISCELLANEOUS No.1000 of 2019**

Arising Out of PS. Case No.-27 Year-2016 Thana- SALAIYA District- Aurangabad

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Santosh Kumar Son of Late Karmu Paswan R/o Vill- Maran Bigha, P.S.-
Salaiya, District- Aurangabad.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER**

2 09-12-2020 Petition is allowed in the attending facts and
circumstances, for the reason emanating from the record.

Noticeably, out of sum of Rs.14,01,588/-, as directed
by this Court, petitioner has already deposited a sum of
Rs.4,50,000/-. For the remaining amount, Shri Rajeev Kumar
Singh, learned counsel for the petitioner, states that the
petitioner's mother owns and possesses immovable property
reference whereof is given in the affidavit dated 02.07.2020, and
that she is ready and willing to furnish security, tangible in
nature, of such property.

Affidavit of the brothers of the petitioner, having no
objection to the same is also on record. It is seen that in



connection with Salaiya P.S. Case No.27 of 2016, District- Aurangabad, petitioner is languishing in jail since 3.11.2018 and could not be released only on account of non-compliance of the condition of order passed by this Court, directing him to tender an amount of Rs.14,01,588/-. The purpose of such direction is only to protect public money and ensure realization of the alleged embezzled amount with the culmination of the adjudicatory process.

As such, the order dated 17th January, 2019, passed in Cr. Misc. No.1000 of 2019, titled as Santosh Kumar Vs. The State of Bihar, is modified to the extent that on the petitioner furnishing tangible security of the remaining amount, he shall be enlarged on bail, subject to fulfillment of other conditions and his detention not required in any other matter.

Petition stands disposed of.

(Sanjay Karol, CJ)

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