

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56775 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- GHOSI District- Jehanabad

MD. SABIR Son of Late Gulam Nabi Resident of Mohalla - Makhdumabad,
P.S. and District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dinu Kumar,Adv. Vardaan Mangalam,Adv. Ritika Rani,Adv.
For the Opposite Party/s :		Mr.Rabindra Kumar,APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Ghoshi P.S. Case no. 20 of 2021 instituted for the offence
under Section 409 of the Indian Penal Code.

As per prosecution report, allegation against the
petitioner of financial irregularity and defalcation of money.
Petitioner has submitted voucher of Rs. 1,32,74,594/- and
advance of Rs. 34,58,776/- in the cash book but he has not
handed over charge of aforesaid amount despite repeated
directions. He has also not given any explanation regarding
misappropriation of government money and accordingly,



B.D.O., Ghosi wrote a letter no. 2070 dated 31.12.2020 addressed to SHO, Ghosi for lodging FIR against him.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner has given charge on 03.03.2017 containing the signature of Najir and B.D.O, Ghosi. The said letter indicates handing over the charge relating to Rs. 3,69,87,069/- and as such, there is no documents, cash book for handing over the charge. Petitioner has also wrote a letter to the B.D.O, Ghoshi on 19.12.2017 with respect to misappropriation of Rs. 8,77,500/- indicating therein mistake has occurred in typing which requires correction in cash book and expenditure vouchers with respect to Rs. 7,75,000/-. Only with a view of tarnish the image of the petitioner, the present false case has been lodged. Earlier, by this Court petitioner was given liberty for not taking coercive steps against him by order dated 20.12.2018 passed in CWJC No. 22428 of 2018.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner



is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Ghoshi P.S. Case no. 20 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

