

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6180 of 2023

Arising Out of PS. Case No.-146 Year-2016 Thana- BARARI District- Katihar

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JAGDISH PRASAD ROY @ JAGDISH PD. ROY SON OF LATE LAXMI
NARAYAN ROY R/O VILLAGE- RAJWARA, P.S.- RAUTARA,
DISTRICT- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 406, 409, 34 of the
Indian Penal Code.

Allegedly, in financial year 2009-10, the petitioner was a
Panchayat Sachiv and at that time he received total amount of
Rs.3,79,860/- government money with regard to diesel subsidy,
he returned Rs.25,642/- through cheque and showed to
distribute only amount of Rs.3,54,218/-. The allegation against
the petitioner is that he misappropriated the amount provided for
diesel subsidy in collusion with *Mukhiya Hamesha Khatoon*.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has superannuated from his service in the year of 2012 i.e. more than 10 years ago. The said misappropriation is the matter of year of 2009-10 and the present FIR has been lodged on 19.05.2016, there is no material against the petitioner and till date charge-sheet has not been submitted against the petitioner. He further submits that no beneficiary has ever complaint about the non payment of any subsidy amount. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in



connection with Semapur P.S. Case No.146 of 2016, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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