

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28018 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

RAHUL KUMAR Son of Late Laxman Singh R/o Mohalla- Khajpura, P.s-
Hawai Adda, Dist- patna Posted as Lower Division Clerk, Office of Labour
Superintendent, Biharsharif Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 25-05-2023 1. At the outset it is submitted by learned
counsel for the petitioner that in the light of permission granted
to the petitioner the soft copy of the supplementary affidavit has
been filed and permission is required to file its hard copy.
2. Permission is granted.
3. Let the hard copy of the said supplementary
affidavit be kept on record.
4. Heard learned counsel for the petitioner and
learned APP for the State.
5. Petitioner seeks regular bail in connection
with Laheri P.S. Case No.257 of 2022 dated 24.05.2022
registered for the offence(s) punishable under Section(s) 409
and 420 of the Indian Penal Code.



6. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to misappropriation of Rs.3,68,000/- by this petitioner but the said allegation is completely false, though admittedly the petitioner received the said amount from M/s Pratima Seva Sansthan in respect of rent for fixing the Bihar Vikash Fair-cum-Disney Land Fair and the petitioner received the said amount in the capacity of Lower Division Clerk posted at the office of Labour Superintendent, Nalanda and he could not deposit the said amount in the treasury because of the illness of his old mother and he was on leave from his duty and in the instant petition he has mentioned that petitioner is ready to deposit the alleged amount and after filing of the said case his mother has deposited the said amount vide Challan No.16 dated 15.05.2023 and petitioner has become victim of circumstances and he has been languishing in jail since 09.11.2022 and against him the investigation has been completed.

7. Learned APP appearing for the State opposes the bail prayer.

8. Considering the above submissions and mainly the deposition of Rs.3,68,000/- which is alleged to have been misappropriated by this petitioner at the office concerned



as appears from the supplementary affidavit and also taking into account the completion of investigation against this petitioner as well as his custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail in connection with Laheri P.S. Case No.257 of 2022 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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