

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5582 of 2024

Arising Out of PS. Case No.-677 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

Sudhir Kumar Singh S/O- Late Shivismurat Singh R/O- Village- Kulhadiya,
G.T. Post Karmnasa, P.S.- Durgawati, Dist.- Kaimur Bhabua.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 406 and 420 of the Indian Penal Code.

3. As per the prosecution case, complainant entrusted 2710 quintals of paddy in the year 2012-13 to the petitioner, who was agriculture officer cum in-charge of purchase of Paddy crop at the Chand Block, for which petitioner granted acknowledgment receipt but despite several requests, petitioner did not return the same to the complainant.

4. Learned counsel appearing for the petitioner submits that as a mater of fact complainant himself has committed embezzlement of Government fund for which Chand Police Station Case No. 15/2015 had been lodged against him



and to save skin from the aforesaid case, present case has been lodged against the petitioner. Complaint has been lodged after inordinate delay of ten years without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in Complaint Case No. 1716 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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