

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6155 of 2024

Arising Out of PS. Case No.-78 Year-2017 Thana- SALAIYA District- Aurangabad

Suraj Baitha S/O Late German Baitha Resident of Village Bundi Biga, Post-
Pirthu, P.S. Salaiya, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjiv Sharan, Advocate
For the Vigilance	:	Mr. Anil Singh, Advocate
For the E.O.U.	:	Mr. V.N.P. Sinha, Sr.Adv.
		With Mrs. Soni Srivastava, Adv.
For the State	:	Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5. 21-06-2024 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for offence under Sections 409, 420, 34 of the Indian Penal Code and Section 13(2) read with Section 13(1)(D) of the Prevention of Corruption Act.

3. It is a case of defalcation of government money. The son of the petitioner is said to have played a major role, while he was functioning as Headmaster of Primary School, Tekka Bigha, Madanpur and misappropriated huge amount of government money and out of total defalcated amount, an amount of Rs. 4,32,000/- was deposited by him in the account of this petitioner, which has been withdrawn.



4. Learned counsel for the petitioner submits that petitioner has no active participation in the alleged defalcation of money except that some of the alleged amount was deposited in his bank account. He is simply an agriculturist and living in village. Petitioner is totally unknown with any type of transaction of money by his son. Petitioner has got clean antecedent and is in custody since 03.10.2023. Chargesheet has been submitted.

5. Learned counsel for the opposite parties vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance – Ist, Patna in connection with Special Case No. 43 of 2018 {43(c) of 2018}, arising out of Salaiya P.S. Case No. 78 of 2017.

(Prabhat Kumar Singh, J)

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