

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49671 of 2014

Arising Out of PS.Case No. -37 Year- 2013 Thana -KATEYA District- MUZAFFARPUR

Binod Kumar Thakur Son of Late Jogendra Thakur resident of village -
Harishankar Maniyari, P.S.- Maniyari, District- Muzaffarpur, At Present
Panchayat Sachiv, Gram Panchayat Raj, Hardi, Under Motipur Block, P.S.-
Kathaiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar
For the Opposite Party/s : Mr. A.K.Chaudhary(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 The petitioner is apprehending his arrest in
connection with Kathaiya P.S.Case No. 37/2013 instituted for the
offence under Section 409 of the Indian Penal Code.

Heard leaned counsel for the petitioner and learned
A.P.P. for the Sate.

The case was registered on the basis of written
application of Block Development Officer, Motipur. It is alleged
that several directions were given to Binod Kumar Thakur,
Panchayat Sachiv for depositing the bill or amount of diesel
subsidy, maize subsidy and agriculture input but he did not deposit
the bill or amount and thereafter explanation was also called for
but he also did not give any reply, which reveals that he

defalcated the amount of above schemes.

On behalf of the petitioner, it is submitted that the petitioner had taken charge on 8.2.2013 and the present case was lodged on 17.5.2013 though as per the petitioner it has been submitted that an amount of Rs. 1,22,230/- has already been deposited and hence the petitioner cannot be said to be liable for misappropriation of any amount.

It is submitted on behalf of the State that it is a case where an amount of Rs. 1,22,230/- has been misappropriated by the petitioner.

Considering the aforesaid facts and circumstances of the case, let above named petitioner, in the event of his arrest/surrender in the court below within four weeks, 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 S.D.J.M. (West), Muzaffarpur, in connection with Kathaiya P.S. Case No. 37/2013, subject to the conditions, as laid down u/s 438(2) Cr.P.C. with a direction that the petitioner shall deposit an amount of Rs. 20,000/- (twenty thousand) in the court below, which will be subject to final result of the case.

(Sudhir Singh, J)

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