

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47125 of 2015

Arising Out of PS. Case No. -71 Year- 2015 Thana -MADHEPUR District- MADHUBANI

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Ajay Kumar Thakur (Lower grade clerk at Madhepur Block Office), Son of
Late Upendra Thakur, resident at village - Raghauli, P.S.- Bisfi, Block-
Bisfi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhash Ranjan Thakur, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Sections 406, 409, 420, 467, 468, 201 and
120B of the Indian Penal Code registered in connection with
Madhepur P.S. Case No. 71 of 2015.

3. It is submitted that the solitary allegation against
the petitioner relates to non-handing over the charge and no
defalcation of any amount has been attributed to the petitioner.
Charge could not be handed over as the petitioner was suffering
from heart ailment. It is further submitted that in fact, documents
found missing from the almirrah do not relate to the period
during which the petitioner was the Incharge.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur in connection with Madhepur P.S. Case No. 71 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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