

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44654 of 2014

Arising Out of PS.Case No. -37 Year- 2012 Thana -HASANPUR District- SAMASTIPUR

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Amar Nath Thakur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Anil Kumar Singh 1(A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 24-03-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

There happens to be an allegation of
misappropriation of Rs.18,43,449/- at the end of petitioner, who at
the relevant time was Panchayat Sewak of Fulhara, Deodha and
Aura Panchayats.

From perusal of the case diary, it is apparent that
though chargesheet had already been submitted under Section 409
of the I.P.C., but manner, whereunder investigation had been
conducted appears to be cryptic one. Not even a single beneficiary
has been examined to ascertain genuineness of the allegation.
Furthermore, the relevant Annexures speaks active involvement of
Mukhiya during course of disbursement of the subsidiary, but the
reason best known to the prosecution, he has not been involved in

this case. Furthermore, there also happens to be supervisory power to be exercised by the Block Development Officer as well as he is authority before whom, the list of beneficiary is to be placed to facilitate presentation of D.C. Bill, however, again there happens to be failure of the prosecution on that very score. After passing of two Financial Year, in the Year 2012 instant case has been filed by the present B.D.O.

In the aforesaid background, petitioner **Amar Nath Thakur** is directed to 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 the learned Additional Chief Judicial Magistrate, Rosera at Samastipur in connection with Hasanpur P. S. Case no.37 of 2012.

(Aditya Kumar Trivedi, J)

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