

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43064 of 2016

Arising Out of PS.Case No. -129 Year- 2016 Thana -PUPRI District- SITAMARHI

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Gajendra Pathak Son of Late Ratilal Pathak, resident of Village and P.O. Aawapur, P.S.- Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-10-2016 Heard Sri Ajay Thakur, learned counsel, who was assisted by Sri Nilesh Kumar, learned counsel for the petitioner and Sri Madan Kumar, learned Additional Public Prosecutor.

The petitioner, who at the relevant time was Panchayat Secretary and in custody only since 8.8.2016 has prayed for grant of bail in Pupri P.S. Case No. 129 of 2016 registered for the offence under section 409 / 420 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner that petitioner has not committed any offence of misappropriation of public fund rather entire voucher was produced by the petitioner before the concerned Nazir. He further submits that though petitioner has retired, his retiral dues have not been paid and huge amount is lying with the government

which is to be paid to the petitioner itself. However, learned Additional Public Prosecutor opposing the prayer submits that it is case of misappropriation of government fund to the tune of 27 lakhs.

Keeping in view the nature of accusation, period of custody, I am not inclined to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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