

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54650 of 2017

Arising Out of PS.Case No. -84 Year- 2000 Thana -MADHWAPUR District- MADHUBANI

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Upendra Thakur, Son of Late Rajendra Thakur, R/o Village- Awari, P.S.-
Shahar Ghat, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Madhawapur (Sahar Ghat) P.S. Case No. 84 of 2000 registered
under Sections 406, 408, 409 and 420 of the Indian Penal Code.

As per agreement between the informant and the
petitioner Rs. 4,70,000/- and 87,500/- was received by the
petitioner to carry out some work under the Sunishchit Rojgar
Yojna and Jawahar Rojgar Yojna respectively and he completed
the work only of Rs. 3,97,749/- and defalcated Rs. 1,59,751/- in
the year 1997 and he was declared absconder due to his non-
appearance despite exhausting of the processes including process
under Section 82 and 83 Cr.P.C.



It is submitted by learned counsel for the petitioner that the petitioner runs a saloon in the village. He happens to be poor labour secretary and his duty is only to execute the work at the instruction of the Panchayat Secretary and Mukhiya and has not taken any money under the said scheme rather the same was withdrawn by the Panchayat Secretary and Mukhiya and the said Panchayat Secretary and Mukhiya have not been made party in the case. No process was ever served upon the petitioner. The petitioner has been languishing in custody since 04.04.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 S.D.J.M., Madhubani in connection with Madhawapur (Shahar Ghat) P.S. Case no. 84 of 2000.

(Prakash Chandra Jaiswal, J)

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