

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35339 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- MANIGACHI District- Darbhanga

Ajay Kumar Thakur, son of Sri Chatuurbhuj Thakur, resident of Village -
Sotea Brahampur, P.S.- Kamtaul, Distt.- Dharbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Manigachi P.S. Case No.30 of 2018, G.R. No.323 of 2018 for
the offences under Sections 406, 409, 420 and 34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. Petitioner is Panchayat
Secretary of Gram Panchayat Bihast- Bathia and in the process
of execution of certain works in different schemes of 13th & 14th
Finance Funds have been allotted to him but without completing
the work, the amount has been withdrawn from the panchayat
account and he has also not handed over the records of these
schemes.



Learned counsel for the petitioner submits that the petitioner has utilized the fund for different schemes and is ready for measurement and accounting. In fact the petitioner has utilized the fund properly and there is no defalcation.

Considering the aforesaid, the Court is inclined to grant bail to the petitioner. Let the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additioal Chief Judicial Magistrate-Vth, Darbhanga, in connection with Manigachi P.S. Case No.30 of 2018 subject to the condition that petitioner will extend co-operate in measurement of the entire work carried out by the panchayat under 13th & 14th finance scheme. In the event, after accounting and determination of amount payable by the petitioner, the petitioner shall refund the payable amount determined afresh within a period of one year from the date of this order.

(Anil Kumar Upadhyay, J)

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