

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40253 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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YUGAL YADAV @ THAG YADAV @ JUGUL YADAV

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

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19-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Lauriya P.S.Case No. 70 of 2016 registered for offence punishable
under Sections 419 and 420 of the Indian Penal Code.

The prosecution case is that one Thag Yadav was
engaged to work in S.K.G., Lauriya Sugar Mill which was
subsequently taken over by the Bihar State Sugar Corporation Ltd.
on 16.12.1985. The allegation is that Thag Yadav, son of Bhola
Yadav had worked for only four days in the said S.K.G., Lauriya
Sugar Mill and thereafter he sent his brother (petitioner) to work in
his place where he worked till his retirement and received salary.
It is further alleged that it was illegal act with the connivance of
his family members and therefore the entire amount received by
him since 1985 to 2002 should be recovered.

It has been submitted by the learned counsel for the
petitioner that the petitioner satisfactorily worked with the said

Sugar Mill and has since retired on 18.11.2002. The present F.I.R. has been lodged after 14 years of his retirement and no allegation has been made during his service tenure. He further submits that the petitioner has no criminal antecedents as is evident from para-3 of this application and the petitioner is also carrying the name of Thag Yadav and the certificate to the said effect has been given by the Sarpanch of Katya Gram Panchayat, where he resides. It has been submitted that the allegations are false and baseless.

However, learned counsel appearing on behalf of the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the F.I.R. has been lodged after 14 years of his retirement, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, West Champaran at Bettiah in connection with Lauriya P.S. Case No. 70 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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