

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55259 of 2017

Arising Out of PS.Case No. -61 Year- 2001 Thana -BAHERI District- DARBHANGA

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Vijay Kumar Yadav, Son of Ramchandra Yadav, resident of Village-
Balant, P.S.- Baheri & District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 24-11-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Baheri P.S. Case No. 61 of 2001, registered under Sections
406, 409 and 420 of the Indian Penal Code.

The accusation is that petitioner was appointed as
Executing Agent of Scheme No. 1/1996-97 for construction of
brick road from Baghaul N.R.E.P. Road to Kamla river under
Sunischit Rajgar Yogana and took Rs.1,42,5000/- as advance in
three installments but only completed the work of Rs.1,23,238/-
and misappropriated remaining amount Rs.19,262/-.

Learned counsel for the petitioner submits that, in
fact, petitioner completed the total work, but due to dirty village



politics he has falsely been implicated in this case with allegation of misappropriation of Rs.19,262/-. Moreover, the petitioner is ready to deposit Rs.19,262/-, which is said to be defalcated by him, to the concerned department within four weeks on protest.

Having regard to the facts and circumstances of the case and submission of learned counsel for the petitioner, let the petitioner, Vijay Kumar Yadav, be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Darbhanga, in connection with Baheri P.S. Case No. 61 of 2001, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and also on condition to submit the receipt regarding depositing of Rs.19,262/- to the concerned department.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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