

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56444 of 2017

Arising Out of PS.Case No. -109 Year- 2015 Thana -PALASI District- ARRARIA

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Harihar Prasad Yadav (the then Mukhia, Gram Panchayat, Nakta Khurd, Palasi), Son of Late Fudan Lal Yadav, Resident of Village Bihari, Police Station- Palasi, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Palasi P.S. Case No. 109 of 2015 registered under Sections 420, 406 and 409/34 of the Indian Penal Code.

The Block Development Officer, Palasi, alleged in the F.I.R. that Ashok Kumar @ Ashok Kumar Jha, being the Panchayat Secretary and Harihar Prasad Yadav, the then Mukhiya, Gram Panchayat, Nakta Khurd, Palasi), did not execute the work of six schemes and misappropriated Rs.9,54,000/-.

Learned counsel for the petitioner submits that similarly situated co-accused, Ashok Kumar @ Ashok Kumar Jha,



has already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 10.11.2017 passed in Criminal Misc. No. 46661 of 2017 taking into consideration that he has submitted the report about the completion of work of schemes before the Block Development Officer and returned the remaining amount to the concerned department.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his 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 Additional Chief Judicial Magistrate-II, Araria, in connection with Palasi P.S. Case No. 109 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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