

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5280 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -AMBA District- AURANGABAD

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1. Gangadaya Singh Yadav @ Gangadaya Singh, Son of late Jagdish Yadav, Resident of Village- Chauri, Police Station- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Swetabh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 The petitioner is apprehending his arrest in connection with Amba P.S. Case No. 62 of 2016, registered for offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the allegation against the petitioner is that he defalcated an amount of Rs. 2,82,942/- meant for construction of school building, however now he has completed the entire work. In support of this contention he has produced a work completion certificate issued by the District Programme Officer, which is annexed as annexure - 2 to this petition. Learned counsel for the petitioner further submitted that the petitioner as being a Government official, therefore, there is no chance of his absconding in this case.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also the certificate of completion issued by the District Programme Officer, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 62 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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