

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6705 of 2018**

Arising Out of PS.Case No. -152 Year- 2017 Thana -KAKO District- JEHANABAD

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Yogendra Paswan, s/o late Mohan Paswan, R/o Village- Khajuri, P.S.-  
Karpi, in the District- Arwal, Presently posted as Panchayat Sewak, Ratni  
Block, P.S.- Sakurabad, in the District- Jehanabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate.

For the Opposite Party/s : Mr. Rajkishore Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      19-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kako P.S. Case No. 152 of 2017** instituted for the offence under Sections 468, 409 and 420/34 of the Indian Penal Code.

The allegation against the petitioner in the written report is that he being the *Mukhiya of Gram Panchayat Sulemanpur*, did not get audit of the accounts for the financial year 2009-10 and of *Gram Panchayat Maniawa* for the financial year 2005-06 to 2007-08. He also did not get audit of the account of *Paschim Kako Panchayat* for the financial year 2005-06, 2009-10 and misappropriated the Government money as mentioned in the written report.

Learned counsel for the petitioner has pointed out Annexure-2 and Annexure-3 which shows that proper audit of account for the aforesaid financial years of those Panchayats was done and no



irregularity has been found by the Auditor in the accounts.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Kako P.S. Case No. 152 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **Shri R.K. Rajak, learned Sub Judge-IV-cum-Additional Chief Judicial Magistrate, Jehanabad**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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