

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53005 of 2017

Arising Out of PS.Case No. -54 Year- 2015 Thana -MOTIHARI MUFAJIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Chhotelal Yadav @ Chhotelal Prasad Yadav @ Chhote Pd. Yadav, Son
of Yogendra Prasad Yadav, Resident of Village- Manglapur, P.S.-
Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-01-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 406, 409, 420 and 120B of the
Indian Penal Code.

Allegation against the petitioner is that while he
was posted as Panchayat Secretary of the referred Panchayat,
defalcation was noticed in implementation of the government
development scheme.

Submission of the learned counsel for the
petitioner is that the petitioner was posted thereat in between
20.01.2009 to 07.10.2011. Thereafter, he was transferred to some
other place and he retired on 31.01.2014. After one year of



retirement, the FIR was lodged without asking any show cause from the petitioner to explain the alleged defalcation which was, in fact, no defalcation.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Muffasil Police Station Case No. 54 of 2015, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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