

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16814 of 2018

Arising Out of PS.Case No. -108 Year- 2017 Thana -PASRAHA District- KHAGARIA

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Indra Kumar Prasad Yadav @ Indra Kumar Yadav @ Prasad @ Indradev
Yadav, son of late Gulo Yadav, resident of village – Pakrail, P.S. – Mahesh
Khunt, district – Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Pasraha P.S.**

Case No.108 of 2017 instituted for the offence under Section(s)

419, 420, 467, 468, 471, 409/34 Indian Penal Code.

Counsel for the petitioner has submitted that instant case has been filed at the instance of present *Mukhiya* due to political rivalry. Counsel for the petitioner has further submitted that all the allegations are with respect to Scheme No.9 of 2013-14, 10 of 2013-14, 11 of 2013-14 and 12 of 2013-14.

In the written report, it is alleged that the petitioner has prepared forged measurement book and also misappropriated government money of the said schemes.

From the written report, it appears that it has been



filed on 28.08.2017. There is no specific allegation in the written report with regard to specific amount, which is said to have been misappropriated by this Petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Pasraha P.S. Case No.108 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 the **Chief Judicial Magistrate, Khagaria**, 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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