

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44171 of 2018

Arising Out of PS.Case No. -19 Year- 18 Thana -BENIPATTI District- MADHUBANI

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Ram Babu Yadav S/o late Ram Briksha, R/o Vill.- Agropatti, P.S.-
Benipatti, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. The Mukhiya, Gram Panchyat Raj Benipatti, P.S.- Benipatti, District-
Madhubani.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-08-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Benipatti P.S.Case No. 19 of 2018, G.R.No. 85 of 2018, registered for the offences punishable under Sections 406, 409, 467, 468, 471 and 420 of the Indian Penal Code.

Allegation against the petitioner is that he received Rs.79,00,000/- for construction of road and he has not completed the same. Further allegation is that he has taken away the cheque and encashed from the Bank in collusion with Mukhiya and Mukhiyapati.

Submission of learned counsel for the petitioner is that the cheque has been issued by Panchayat Sewak and Mukhiya and petitioner has completed the work for Rs.20 lakhs and Rs.11 lakhs he has deposited and rest amount of Rs.48 lakhs he is ready to



deposit if some time is granted.

Heard learned APP also, who has opposed the prayer for anticipatory bail.

Having heard both sides and in the facts and circumstances, let the petitioner, named above, surrender within a period of six months from the receipt of this order along with a Bank Draft of Rs.8 lakhs payable to the authority concerned and if the same is deposited, learned court below will release the petitioner on provisional bail for five months to its own satisfaction and petitioner will continue to pay the rest amount in five equal instalments in first week of the following months and on failure to pay any of the instalments, his bail bond shall be cancelled and once the total amount is deposited, his bail bonds shall be confirmed and the aforesaid deposit will be the subject to result of the case.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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