

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11149 of 2019

Arising Out of PS. Case No.-886 Year-2018 Thana- KHAGARIA District- Khagaria

INDRA KUMAR YADAV, aged about 58 yeas(male), Son of Late Gulo Yadav Resident of Village - Pakrail, P.S.- Mahesh Khunt, District - Khagaria Panchayat Sachiv, Gram Panchayat Raj Kothiya and Gram Panchayat Raj - Rahimpur (South) P.S.- Muffasil, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-02-2019 Heard both sides.

The petitioner apprehends his arrest in Khagaria(Muffasil) P.S. Case No.886 of 2018 registered under Sections 409, 420 and 34 of the Indian Penal Code.

The gist of the allegation is that the petitioner being the Panchayat Sachiv and Smt. Manjo Devi, Mukhiya of Gram Panchayat Raj Rahimpur(South) withdrew Rs.4,33,400/- for construction of lane road but they did not construct the lane road and when the matter was reported they deposited the entire amount in the account.

The learned counsel for the petitioner submits that since the money withdrew by the Mukhiya has already been deposited in the account and not a single farthing is



misappropriated. Manjo Devi has already been granted anticipatory bail vide order dated 18.02.2019. The case of the petitioner stands on the same footing as that of Manjo Devi.

Considering the aforesaid facts and the fact that similarly situated co-accused Manjo Devi, Mukhiya of Gram Panchayat has already been granted anticipatory bail by order dated 18.02.2019 passed in Cr. Misc. No.9270 of 2019, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria(Muffasil) P.S. Case No.886 of 2018(G.R. No.3525 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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