

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53383 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- KUMAR KHAND District- Madhepura

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YOGENDRA KUMAR @ YOGENDRA YADAV S/o Late Bindeshwari Prasad Yadav, R/o Vill.- Tamout Parsa, Ward No. 7, P.S.- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 18-01-2019 Heard learned counsel for the petitioner. None for the State is present.

Petitioner is seeking anticipatory bail in connection with Kumarkhand P.S. Case No. 79 of 2018 registered for the offences punishable under Sections 420, 406, 408 and 409 of the Indian Penal Code.

It appears on perusal of the F.I.R. as well as impugned order that according to the allegation the petitioner being the then Panchayat Secretary of the Gram Panchayat Raj Rauta, Block-Kumarkhand had withdrawn a sum of Rs.57,72,400/- as advance in 11 different schemes, but he did not complete the works of the schemes and defalcated the alleged huge amount of the government.



In the given facts and circumstances of the case, in view of the materials present on the record, this Court is not inclined to grant anticipatory bail to the petitioner. However, in case, petitioner surrenders in the court below within a period of four weeks from today and prays for regular bail, the same shall be considered by the court below independently and without being prejudiced by the order of this Court refusing to grant anticipatory bail to the petitioner. It will be open for the petitioner to show that he had completed the works in question which will be considered by the court below.

This application is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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