

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57972 of 2019

Arising Out of PS. Case No.-76 Year-2017 Thana- BHAPTIAHI District- Supaul

=====

RAGHUVANSH PRASAD YADAV Son of Late Mery Yadav @ Nevi Yadav
Resident of Village- Sadanandpur, P.O.- Bishanpur, P.S.- Bhaptiyahi, District-
Supaul, the the Mukhiya, Gram Panchayat- Chhilla Dumari, Block and P.S.-
Bhaptiyahi, District- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Shailendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-10-2019 This application, for grant of anticipatory bail, arises

out of Bhaptiyahi P.S. Case No. 76 of 2017, disclosing offences

under Sections 406/409/34 of the Indian Penal Code.

As per F.I.R., petitioner said to be the Mukhiya

between the period from 2001-06 and under the Scheme No. 08-

1999/2000, there was proposal for construction of community

hall but as the construction could not be made, it was decided to

be constructed through the Mukhiya and it is alleged that he has

not completed the construction work and misappropriated the

amount.

Submission of learned counsel for the petitioner is

that he has made some construction and has also made certain

payments but as his tenure of Mukhiya expired in the year 2006,



the work could not be completed and he has already informed about the same. It has also been submitted that after enquiry, the liability was fixed on Panchayat Secretary and a Certificate Proceeding was also initiated against him. It has also been submitted that five installments have already been paid by the said Panchayat Secretary out of ten installments and as such, the petitioner may be granted the privilege of anticipatory bail and he is ready to abide by any condition imposed on him.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, Let the petitioner, surrender before the court below within three weeks from the date of receipt of a copy of this order, on which, he will be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Bhaptiyahi P.S. Case No. 76 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

