

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82193 of 2019

Arising Out of PS. Case No.-72 Year-2003 Thana- KUMAR KHAND District- Madhepura

BAL KRISHNA YADAV, aged about 52 years, Male, Son of Late Kufar Mandal, Resident of Village-Madhepura Navtolia, Ward No.2, P.S-Madhepura, District-Madhepura ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Archit Rajpal, Adv.

For the Opposite Party : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 26-06-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state through video conferencing.

The petitioner seeks pre-arrest bail in connection with Kumarkhand P.S. Case No. 72 of 2003, pending in the Court of the Chief Judicial Magistrate, Madhepura, registered under Sections 409, 406, 420, 120B, 204, 218, 119 and 34 of the Indian Penal Code.

The accusation is that petitioner, being the Nazir-cum-Clerk of Block Development Office, Kumarkhand, Madhepura, along with others, named in the first information report, committed irregularities in disbursing the amount and caused loss to exchequer amounting to Rs.14,01,500/-.

Submission is that earlier the prayer of pre-arrest bail of the petitioner was refused vide Cr. Misc. No. 34461 of 2003



on 08.02.2005 and, thereafter, liability was fixed by the District Collector, Madhepura, against the petitioner of Rs.3,79,581/- and the petitioner deposited the same in Block Office on 15.07.2014, which would appear from Annexure 4.

Since, the prayer of pre-arrest bail of the petitioner has already been refused by a Bench of this Court vide Cr. Misc. No. 34461 of 2003 on 08.02.2005, as such, I do not find any reason to re-consider the prayer for pre-arrest bail of the petitioner, which is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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