

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28036 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- JHAJHA District- Jamui

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MUNILAL YADAV SON OF DIGAN YADAV VILLAGE DIGHARA
DHAMNA TOLA, GOVINDPUR, PS- JHAJHA, DISTT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Adv.
For the State : Mr. Rajendra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-07-2023 Heard Mr. Sanjay Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Rajendra Singh,

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Jhajha P.S. Case No. 272 of 2022, dated 02.07.2022,
registered under Sections 406 and 409 of the Indian Penal Code.

3. The prosecution case, in brief, is that under Pradhan
Mantari Awas Yojana (Gramin), all the F.I.R. named accused
persons including the petitioner have been given certain amount
for construction of house under the scheme, but they did not
construct the house and defalcated the government money in
their personal use.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has already constructed the



house which was required to be constructed by him in accordance with Pradhan Mantari Awas Yojana (Gramin). The petitioner has annexed certificate issued by the Mukhiya and Surpanch and he has produced the photograph showing that the house has already been constructed and handed over to the beneficiary. The petitioner has clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner as well as the fact that the house has been constructed by the petitioner in accordance with Pradhan Mantari Awas Yojana (Gramin) and handed over to the beneficiary, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Jhajha P.S. Case No. 272 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in



paragraph no. 3 of the bail application, this order will
automatically loose its force.

(Purnendu Singh, J)

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