

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42653 of 2022

Arising Out of PS. Case No.-37 Year-2020 Thana- BAIRIYA District- West Champaran

MUNNA KUMAR @ MUNNA YADAV, Son of Lalan Yadav (Wrongly mentioned in the FIR as Asharfi Yadav), R/O Village - Bathna, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 22-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420 and 409 of the Indian Penal Code.

As per the prosecution case, the petitioner being Secretary and the co-accused persons committed irregularity in the scheme of *Gramin Nal Jal Yojna* and *Gramin Gali-nali Pakki Karan Yojna* in Bathna Panchayat. They have got the work completed through contractor which is prohibited by Ward Implementation and Management Committee.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. As per annexure-2, the work has already been completed and the report submitted by Block Panchayat Officer, Bairiya, West Champaran shows that there is no any embezzlement of government money by the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the material available on record, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 37 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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