

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55643 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- KATEYA District- Gopalganj

Harendra Yadav Son Of Sri Rama Shankar Yadav Resident Of Village
Mahanthwa Ps Kateya District Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 409, 420 and 120B of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they have embezzled Rs. 30,81,500/- of govt. fund which was being given for the purpose of Mukhyamantri Sat Nischay Yojna.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since



31.05.2023.

5. By way of supplementary affidavit, it is stated in para-2 of this petition that the Block Panchayat Raj Officer, Panch Dewari, Gopalganj vide letter no. 146 dt. 31.08.2023 has communicated to the petitioner that out of Rs. 15,29,300/- the work of Rs. 9,39,881/- has been completed in Ward No. 03 under Mukhyamantri Payjal Nischay Yojna. Direction was given that which work is not done by him then the work should be completed and furnish the No Objection Certificate which is annexed as Annexure-4 of this petition. It is further submitted from para-3 of the supplementary affidavit that in the light of the above direction of the Block Panchayat Raj Officer, petitioner undertakes to complete the rest of the work of his part within six months after his release on bail and he will submit complete work certificate and NOC and also he undertakes if the work has not been completed within stipulated time then he is ready to pay the amount of uncompleted work of his part.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on **Provisional bail**. The above named petitioner is directed to be released on **Provisional Bail for a period six months** in connection with Kateya P.S. Case



No. 21 of 2023 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., Gopalganj.

This application stands disposed off.

The trial Court is directed to confirm the provisional bail granted to the petitioner only after verifying the NOC regarding the work completed by the petitioner as per the direction given to him on 31.08.2023 by Block Panchayat Raj Officer, Panchdevri, Gopalganj.

(Sunil Kumar Panwar, J)

Shubham/-

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

