

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69659 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- WAJIRGANJ District- Gaya

Baleshwar Yadav, S/O Late Shivam Yadav, Village- Hasra, Ps. Wazirganj,
Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No.161/2022, lodged on 12.04.2022 under
Sections 409/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons including the
petitioner with an allegation that they have accepted the money
but did not complete the work under the Chief Minister Village
Drinking Water Project and thereby committed breach of trust
and caused loss to the State exchequer.

4. Learned counsel for the petitioner submits that the
assigned work has already been completed and measurement
has been entered in the measurement book which is apparent
from Annexure-2 to the bail petition. He further submits that the
antecedent of the petitioner is clean and he is in custody since



10.05.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that without ascertaining the completion of the work, the petitioner may not be granted bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **provisionally for two months**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Gaya, in connection with Wazirganj P.S. Case No.161/2022, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. The provisional bail of the petitioner shall be confirmed by the trial Court on the production of the completion certificate by the petitioner after obtaining the same from the BDO concerned within two months from the date of release. In the event, the petitioner fails to produce the aforesaid completion certificate, the trial Court shall cancel the provisional bail of the petitioner.

(Dr. Anshuman, J)

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