

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67797 of 2023

Arising Out of PS. Case No.-93 Year-2021 Thana- TEKARI District- Gaya

BIMLESH YADAV Son of Sri Nanhku Yadav Resident of Village - Saidpur
Mau, P.S.- Tekari, District - Gaya (Bihar), Pin Code No. 824235

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Patel

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 406 and 409 of the Indian Penal Code.

3. As per allegation in the FIR, during the course of physical verification by a joint team consisting of B.P.R.O. and Technical Assistant in Ward No. 4 Yozna No.1 under Gram Panchayat Mau, Saidpur, it has been found that accused persons including the petitioner have committed financial irregularities and passiveness in the execution of Yozna.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is the husband of ward



member Savita Devi and due to which he has been falsely implicated in this case. Only general and omnibus allegations have been levelled against the petitioner. It is further submitted in para 8 of the petition that the Nal Jal Yojna for which this case has been lodged and for the said Yojna a joint account was opened in the name of Ward Secretary namely, Guddu Kumar, money regarding the said Yojna as send in the account and also money has been withdrew from the signature of Ward Member namely, Savita Devi and ward Secretary Guddu Kumar. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The other two co-accused persons namely, Guddu Kumar and Savita Devi have already been granted by another co-ordinate Bench of this Court vide order dated 12.05.2022 and 19.07.2022 passed in Cr. Misc. No. 575 of 2022 and 70958 of 2021 respectively. Petitioner is languishing in judicial custody since 09.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- VI, Gaya in connection with Tekari P.S. Case No.93 of 2021.

(Sunil Kumar Panwar, J)

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