

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70157 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

RAM BAHADUR YADAV SON OF UMAN YADAV R/O VILLAGE-
RAMCHANDRA, P.S.- MADHEPUR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Ojha

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 03-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Madhubani (Bhairavsthan) P.S. Case No. 23 of 2021, registered for the offences punishable under Sections 406, 409, 419, 420 and 34 of the IPC.

The petitioner is an ex-sarpanch. As per allegation, the petitioner along with other co-accused persons, defalcated the government money.

The learned counsel for the petitioner has submitted that co-accused Ram Kumari Devi, who is *mukhiya*, and her husband Chhenai @ Chhenai Sadai have been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 66362 of 2022



under order dated 21.04.2023. The coordinate Bench, while granting bail to the above-named persons, has considered the fact that the report dated 13.07.2017 of the Junior Engineer, Jhanjharpur sent to Block Development Officer shows that works were done under specification and quality with work efficiency.

On the other hand, the learned APP Sri Shailendra Kumar has opposed the prayer for bail.

The report of Junior Engineer makes it clear that the entire work has been done and the quality of work was as per norms, and co-accused persons on similar footing, have been granted bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jhanjharpur in connection with Madhubani (Bhairavsthan) P.S. Case No. 23 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in



future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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