

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3779 of 2023

Arising Out of PS. Case No.-136 Year-2020 Thana- GAUNAHA District- West Champaran

PRADEEP KUMAR YADAV S/O MADAN LAL YADAV R/O VILLAGE
AND P.O.- JAMUNIA, P.S.- SUBHADRA, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra
For the Opposite Party/s	:	Mr. Parmeshwar Mehta
For the Informant	:	Mr. Abhishek Kumar
		Mrs. Rashmi Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 28-08-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in Gaunaha P.S. Case No. 136 of 2020 registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code pending in the Court of learned Judicial Magistrate 1st Class, West Champaran at Bettiah.

3. The allegation against the petitioner is that he was entrusted to supply the material for executing the work of Nal Jal Yojana but he could not supply the same within time and on demand made by the informant he returned the amount of Rs.17,00,000/- to the informant through cheque which could



not be encashed as the said account was closed.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner was only entrusted to supply all the material required for the Nal Jal Yojana and he was not liable for completion of the work. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that there is specific allegation against the petitioner that after taking money he has not completed the work and on demand he issued a cheque of a closed account. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and on perusal of record, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would



pass order on the same day in accordance with law without
being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

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

