

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5502 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- ALOULI District- Khagaria

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UPENDRA SINGH @ UPENDRA SAH @ SRI UPENDRA SINGH S/O
ANUP LAL SINGH the then Panchayat Secretary, Gram Panchayat Raj
Chhilkauri at Present posted at Block Office, Khagaria, Permanent resident of
village- Pithaunjiya, P.S.- Gogri, District- Khagaria At present R/v- Chander
Nagar, P.S.- Morkahi, District- Khagria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-05-2023 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Alauli P.S. Case No. 186 of 2022, registered for
the offence punishable under Section 406, 409 and 420 of the
Indian Penal Code.

The allegation is regarding the petitioner having not given
charge of six yojanas of the Mukhya Mantri seven Nischay
Yojana while he was posted as Panchayat Secretary, Gram
Panchayat Raj Chhilkauri.

The learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. The learned counsel for the petitioner has further submitted that the petitioner could not hand over the charge of the aforesaid six yojanas on account of the same having not been handed over to the petitioner by his predecessors, however, it is submitted that the petitioner is ready to join investigation.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the petitioner is ready and willing to join investigation, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to certain conditions.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S.Case No. 186 of 2022, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:30 am. and in the event of two consecutive defaults, the present privilege of anticipatory bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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