

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30681 of 2023

Arising Out of PS. Case No.-13 Year-2021 Thana- SURYAPURA District- Rohtas

UPENDRA KUMAR Son of Baliram Choudhary Resident of village-Balihar,
Post Office-Suryapura, Police Station-Suryapura, District-Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Narayan Dubey

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 01-11-2023 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 420 and 409 of the Indian Penal Code.

3. The allegation against the accused persons including the petitioner is of embezzlement of Rs. 17 lac in Nal Jal Yojna and they have not completed the work till now.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted in para 17 of the petition that neither any cheque has been issued by the petitioner nor it was withdrawn by him and the contractor of the work that is because



the work has not been completed in time. He is still ready to co-operate for completing the remained work. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused namely, Birendra Singh has already been enlarged on bail by another co-ordinate Bench of this Court vide order dated 16.12.2022 passed in Cr. Misc. No. 55714 of 2022. Petitioner is languishing in judicial custody since 04.11.2022.

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 Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Suryapura P.S. Case No. 13 of 2021.

(Sunil Kumar Panwar, J)

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