

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44611 of 2023**

Arising Out of PS. Case No.-302 Year-2020 Thana- BUXAR COMPLAINT CASE District-  
Buxar

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DEEPAK YADAV @ DEEPAK SINGH YADAV @ BITTU YADAV Son of  
Ram Pravesh Yadav Resident of Village - Khanpur, P.S. - Rajpur, Distt. -  
Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. SURESH PRASAD PAL SON OF KISHUN PAL RESIDENT OF  
VILLAGE- KULHARIYA, PS- BUXAR (M), DISTRICT- BUXAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rang Nath Choubey  
For the Opposite Party/s : Mr. Uday Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      23-08-2023                      Heard learned counsel for the petitioner as well as  
  
learned APP for the State.

2. The petitioner apprehends his arrest in connection with  
  
Complaint Case No.320(C) of 2020, Comp (P) No.302 of 2020,  
  
registered for the offence punishable under Sections 406 and  
  
409 of the Indian Penal Code.

3. The prosecution case, is that the petitioner was handed  
  
over Rs.5 Lakhs through a cheque and Rs.3.50 Lakhs through  
  
another cheque by the informant and one Santosh Kumar  
  
regarding Planning of Chief Minister Nal Jal Scheme. Out of  
  
total sanctioned money of Rs.14,97,437/-, the petitioner  
  
completed the work of Rs.3,72,000/- only, and even after several



direction, he did not completed the rest work. It is alleged that the petitioner has defalcated rest Government money for his personal benefit.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner and complainant are co-villagers. The complainant is a ward member of Ward No.8 and he wants special advantage from the petitioner. Petitioner is a supplier of materials. Petitioner had supplied materials of Rs.8,50,000/- under the aforesaid scheme. Petitioner is a not a contractor of the said scheme and there is no document to prove that the petitioner is a contractor of the said scheme. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail by submit that the petitioner is also involved in the present case.

6. Having regard to the facts and circumstances of the case as well as considering the nature of allegation, I am not



inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

**(Anjani Kumar Sharan, J)**

shikha/-

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