

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40928 of 2022**

Arising Out of PS. Case No.-617 Year-2020 Thana- KAHALGAON District- Bhagalpur

Gulshan Kumar Son Of Kailash Tanti Resident Of Village - Pachim Tola,
Bholsar (Ekchari), P.S.- Kahalgaon (Ekchari), District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 24-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 406 and 420 read with 34 of the Indian Penal Code.

As per the prosecution case, the work of *Nal-Jal Yojana* was not completed by the petitioner and the co-accused.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated at para 3 of the



bail petition. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 27.07.2022 passed in Cr. Misc. No. 13344 of 2022. From perusal of the said order, the total misappropriate amount has been deposited by the co-accused person as per the report of District Magistrate, Bhagalpur.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 617 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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