

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60133 of 2022**

Arising Out of PS. Case No.-66 Year-2020 Thana- BRAHMPUR District- Buxar

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HARENDRA NONIA S/o Baban Nonia R/o Village- Basao, P.S.- Itarhi, Distt-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.Parmeshwar Mehta

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

2 09-01-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Brahampur (Krishna Braham) P.S. Case No.66 of 2020, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The FIR named accused persons including the petitioner were jointly doing work of installing tower for Nal Jal Yojna in partnership, and for the same work received total Rs.8,60,000/- vide four cheques issued on different dates by Members of Wards of Nuwaon Gram Panchayat, but they have not submitted Performance Certificate regarding completion of such work in the present case.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner has got privilege of Section 41(1) Cr.P.C. and he has co-operated in the investigation.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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