

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70862 of 2023

Arising Out of PS. Case No.-393 Year-2022 Thana- KATEYA District- Gopalganj

=====

Ramayan Yadav, Son Of Ramdeo Chaudhary @ Ram Dev Yadav, Resident Of
Village - Chakarpan, Police Station - Kateya, District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kateya P.S. Case No.393 of 2022, lodged on 03.09.2022 under
Sections 406, 409, 420, 120B/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against seven named accused persons including the
petitioner with an allegation that they have grabbed
Rs.18,55,000/- towards under ‘Mukhyamantri Sat Nishchay
Yojna” of the Government of Bihar.

4. Learned counsel for the petitioner submits that this
case has been lodged in the month of September, 2022 whereas
during pendency of this case entire work has been completed
and in this regard, he has annexed Annexure-2 series. The



petitioner is in custody since 20.04.2023.

5. From perusal of Annexure-2, it does not transpire to this Court that BDO has given certificate about the completion of work after registration of FIR.

6. Learned APP for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and in the light of the undertaking made by the petitioner, let the petitioner above named, be granted bail **provisionally for sixty days**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj, in connection with Kateya P.S. Case No.393 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. The provisional bail of the petitioner shall be confirmed by the trial Court on the production of the completion certificate by the petitioner after obtaining the same from the BDO concerned within sixty days from the date of release. In the event, the petitioner fails to produce the aforesaid completion certificate, the trial Court shall cancel the provisional bail of the petitioner.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

