

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6621 of 2024

Arising Out of PS. Case No.-190 Year-2022 Thana- KALYANPUR District- East Champaran

1. Baleshwar Yadav @ Baleshwar Kumar Son of Ramadhar Yadav R/O- Parsauni Wajid, P.S.-Kalyanpur, Distt.-East Champaran
2. Mukesh Kumar Son of Mahendra Prasad R/O-Parsauni Wajid, P.S.- Kalyanpur, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kalyanpur P.S. case No. 190 of 2022 instituted for the offences under Sections 420, 409 and 34 of the Indian Penal Code.

3. Prosecution story, in short, is that these petitioners alongwith other FIR named accused persons embezzled the money allocated under the scheme *Nal Jal Yojana/ Gali Nali Yojana*.

4. Learned counsel for the petitioners submitted that petitioners have no criminal antecedent. Learned counsel further submitted that total amount of Rs. 23,74,700/- was credited in



the joint account of the petitioners for the work assigned under the *Nal Jal Yojana* scheme but due to lack of labour the work could not be completed in time and they have falsely been implicated in this case. Learned counsel further submitted that petitioners are ready to complete rest of the work within six months. Learned counsel next submitted that co-accused persons have already been granted anticipatory bail vide Cr. Misc. No. 12732 of 2023 and Cr. Misc. No. 14417 of 2023 by the co-ordinate Benches of this Court. It has been submitted on behalf of the petitioners that the petitioners are in custody since 03.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean criminal antecedent, the submission of the learned counsel for the petitioners that the petitioners are ready to complete the work within six months as well as the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Kalyanpur P.S. case
No. 190 of 2022 subject to the condition that if the petitioners
do not complete the work within six months, trial Court will
have liberty to cancel the bail bonds of these petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

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