

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38135 of 2024

Arising Out of PS. Case No.-63 Year-2014 Thana- DAWATH District- Rohtas

Rajendra Prasad Son of Ramanup Prasad Resident of Mohalla- S.k. Nagar,
Road No- 23, P.S- Phulwariya, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Adv.

For the Opposite Party/s : Ms. Asha Devi, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 120B, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has falsely implicated in the instant case by the informant. It is further submitted that petitioner has moved this Court seeking anticipatory bail by filing Cr. Misc. No. 39086 of 2016 and the same was dismissed on merits by an order dated 20.09.2016, thereafter, again the petitioner moved this Court seeking anticipatory bail by filing Cr. Misc. No. 40340 of 2017 and the same was permitted to be withdrawn by an order dated



20.09.2017. It is further submitted that co-accused, namely, Yugal Kishore @ Ygal Kishore Yadav was similarly situated like the petitioner had also approached this Court seeking anticipatory bail by filing Cr. Misc. No. 34507 of 2017 and the said application was rejected by a learned Co-ordinate Bench by an order dated 10.08.2017, thereafter again Yugal Kishore moved this Court seeking anticipatory bail by filing Cr. Misc. No. 2973 of 2017 and the same was allowed by this Court by an order dated 12.02.2024 after considering the case of Yugal Kishore on merits. It is further submitted that the case of the petitioner is also akin to the case of Yugal Kishore. It is next submitted that the Block Development Officer, Dawath, Rohtas has recorded in his Letter No. 919 dated 09.12.2015 that the entire work has been completed but then, it appears that the said fact would not be brought to the notice of the learned Co-ordinate Bench when the anticipatory bail application of the petitioner was rejected in the year 2016. It is also submitted that Panchayat Secretary has been given the privilege of regular bail as such no useful purpose would be served by sending the petitioner to jail when the work stands completed.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dawath P.S. Case No. 63 of 2014 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. However, in the event the learned trial court comes to a conclusion that petitioner after being released on anticipatory bail is trying to delay the trial in any manner in the event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

annpurna/-

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

