

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42846 of 2024

Arising Out of PS. Case No.-246 Year-2016 Thana- BAHADURPUR District- Darbhanga

Upendra Narayan Yadav @ Upendra Yadav S/O Late Thakko Yadav, R/O
Village- Khutwara, P.S- Sadar, Dist.- Darbhanga.

... .. Petitioner

Versus

The state of bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 46578 of 2024

Arising Out of PS. Case No.-246 Year-2016 Thana- BAHADURPUR District- Darbhanga

Ram Karan Singh @ Ram Karan Sinha S/O Late Udit Narayan Singh, R/O
Vill- Kotma, P.S- Manigachhi, Distt- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 47277 of 2024

Arising Out of PS. Case No.-246 Year-2016 Thana- BAHADURPUR District- Darbhanga

Arjun Kumar Yadav @ Arjun Yadav Son Of Late Ram Balak Yadav, R/O
Vill.- Ranipur, P.S.- Sadar, Dist.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 47658 of 2024

Arising Out of PS. Case No.-246 Year-2016 Thana- BAHADURPUR District- Darbhanga

Pawan Kumar Paswan Son Of Late Sajjan Paswan, R/O Vill.- Rajwara, P.O.-
Nehra, P.S.- Manigachhi, Dist.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :
(In CRIMINAL MISCELLANEOUS No. 42846 of 2024)
For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP



(In CRIMINAL MISCELLANEOUS No. 46578 of 2024)
For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP
(In CRIMINAL MISCELLANEOUS No. 47277 of 2024)
For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP
(In CRIMINAL MISCELLANEOUS No. 47658 of 2024)
For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-08-2024 All the criminal miscellaneous petitions have arisen

out of the same police station case number, hence they are being

heard together and decided by a common order.

2. Heard Mr. Kedar Jha, the learned counsel for the

petitioners and Mr. Anil Kumar, the learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in

connection with Bahadurpur PS Case No. 246 of 2016, FIR

dated 16.06.2016, registered for the offences punishable under

Sections 188, 420 and 409 of the Indian Penal Code.

3. According to the prosecution case, pursuant to the

letters issued by Block Development Officer, Bahadurpur,

District Program Officer, Darbhanga and District Program

Officer (Establishment), Darbhanga, the informant was ordered

to lodge FIR against Panchayat Secretaries (as annexed in the

FIR) due to non- submission of entire folders including all the

documents for inspection to Vigilance Bureau despite of the



direction communicated to them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that in fact, the petitioners, who were Panchayat Secretaries of Bahadurpur Block at the relevant time, have submitted the folders including all the relevant documents before the competent authority and without verification of the same, the present FIR has been instituted against the petitioners and other similarly situated persons.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioners have clean antecedent and they have submitted the folders including all the relevant documents, which they have received from their predecessors, let the petitioners (**in Cr. Misc. No. 42846 of 2024, in Cr. Misc. No. 46578 of 2024, in Cr. Misc. No. 47277 of 2024 and in Cr. Misc. No. 47658 of 2024**), above-named, in the event of their



arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, where the case is pending in connection with **Bahadurpur PS Case No. 246 of 2016**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the learned trial Court shall



take step for cancellation of bail bond of the petitioners.
However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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