

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67726 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- ITARHI District- Buxar

GORAKHNATH UPADHYAY @ GORAKH UPADHYAY Son of
Raghuvansh Upadhyay Resident of Village - Manoharpur, P.S.- Itarhi, District
- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case in connection with Itarhi P.S. Case No. 128/2023, registered for the offences punishable under Section 409 of the Indian Penal Code.

3. As per F.I.R., allegation against the petitioner is that he has not cooperated in the departmental enquiry.

4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Petitioner has got no criminal antecedent mentioned in Para 3 of the bail application. He further submits that petitioner was retired on 30.07.2022 and he hand over the charge to one



Satish Kumar Singh (Annexure-3 of the bail application). He further submits that similarly situated co-accused has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 19.08.2023 passed in Cr. Misc. No. 53026/2023.

5. Learned APP for the State has opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case and also similarly situated co-accused has been granted bail by a coordinate Bench of this Court, let the above named petitioner, be released on bail, in the event of his arrest, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/ successor Court in connection with Itarhi P.S. Case No. 128/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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