

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82737 of 2023

Arising Out of PS. Case No.-59 Year-2022 Thana- GOGRI District- Khagaria

1. Shatrugn Yadav @ Shatrohan Yadav @ Shatrudhan Yadav Son Of Late Pramod Yadav R/O Village- Ratan, Ward No.13, P.S.- Gogari, District- Khagaria
2. Indrajeet Yadav Son Of Karelal Yadav R/O Village- Ratan, Ward No.13, P.S.- Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the parties.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with regard to petitioner no. 1 as he has already been arrested during pendency of the case.

3. Permission granted.

4. **The anticipatory bail application with regard to petitioner no. 1 is dismissed as withdrawn.**

5. Petitioner No. 2 apprehends arrest in a case registered for the offences punishable under Sections 406, 419, 420/34 of the Indian Penal Code.

6. Allegation against the petitioner is of misusing and embezzling the Government fund during the course of construction of PCC Road in Gram Panchayat Ratan.



7. Learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case due to local village politics. Petitioner has never misused the Government fund. It is further submitted that the petitioner constructed the drainage and sewerage with full satisfaction of the higher authority but with time, due to passing of heavy vehicle in rainy season, some part of the drainage got damaged which has also been repaired by the petitioner as per the instructions of the higher authority. Petitioner claims clean antecedent.

8. Considering the aforesaid facts and circumstances of the case, **the anticipatory bail with regard to petitioner No. 2 is allowed** and it is ordered that the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Gogari P. S. Case No. 59 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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