

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28438 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- SIKANDRA District- Jamui

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Bhola Prasad Yadav S/o Late Ganauri Yadav Resident of Mohalla- Bari
Pahari, PO- Soh Sarai, PS- Laheri, Distt.- Nalanda, Retired Adhoc Executive
Engineer, Minor Irrigation, Division, Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 316(5),
318(4), 61(2) and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that petitioner while posted as an Assistant Engineer,
Minor Irrigation Department, Jhajha, Jamui committed financial
irregularities in preparations of estimate, execution of scheme
and payment in the scheme of Kala Aahar of village Manjosh
for the year 2009-12.

4. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the instant case by the informant. It is further submitted that FIR has been instituted in the 2024 when the allegation is in between the year 2009-12 i.e. the FIR came to be instituted after 12 years of the occurrence. It is also submitted that the petitioner retired on 30.06.2016 as such the FIR came to be instituted 8 years after his retirement and petitioner is presently aged about 69 years. It is also submitted that an enquiry committee was instituted which suggested that an amount of Rs.23,61,757/-, which is alleged to have been paid in excess was suggested to be adjusted from the next RA bill of the contractor, as such no FIR was instituted earlier, but then 8 years after retirement of the petitioner, he came to be implicated.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Sikandra
P.S. Case No. 309 of 2024 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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