

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31031 of 2025

Arising Out of PS. Case No.-204 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Rupesh Yadav S/o Shri Babulal Yadav R/o Village- Chandpur, P.S.-
Sangrampur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-08-2025 Heard Mr. Dhannjay Kumar II, learned counsel for

the petitioner and Mr. Jharkhandi Upadhyay, learned APP for

the State.

2. Petitioner seeks regular bail in connection with
Sangrampur P.S. Case No. 204 of 2023, dated 03.06.2023,
registered for the offences punishable under Sections 406 and
409/34 of the Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to misappropriation of
government fund of Rs. 4,70,000/- (rupees four lakh and
seventy thousand) for the construction of drainage (*Nala*), the
petitioner was Ward Secretary at the concerned ward where the
alleged construction of drain was to be done, in fact, during the



said work, some local persons gathered and created hindrance due to which the work could not be completed, however, the earth digging work had already been completed and the construction materials had also been put at the construction site. It is further submitted that the petitioner is still ready to complete the remaining work provided no obstruction is caused by the local people in the sanctioned work under 'Gali Nali Yojana' scheme. It is lastly submitted that the petitioner bears no criminal antecedent and has been languishing in jail since 09.03.2025 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that he has filed counter affidavit in this matter and there is serious allegation against this petitioner regarding misappropriation of the government fund.

5. Heard both the sides and perused the FIR as well as trial court's order. Though the instant matter relates to misappropriation of government fund of Rs. 4,70,000/- relating to a construction of drain under 'Gali Nali Yojana' scheme, however, considering petitioner's custody period since 09.03.2025 and against him, the investigation has been



completed, he bears no criminal antecedent and his release on bail will not adversely affect the prosecution, this Court is of the view that the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sangrampur P.S. Case No. 204 of 2023.

(Shailendra Singh, J)

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