

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45218 of 2025

Arising Out of PS. Case No.-162 Year-2012 Thana- ROSERA District- Samastipur

Amresh Kumar Yadav @ Amresh Yadav, Son of Tuneswar Yadav @ Tuna
Yadav, Resident of Village - Tahar, P.S.- Rosera, District - Samastipur
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Choudhary, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in a case instituted for the offence punishable under Sections 406, 409, 420 and 34 of the IPC.

3. As per prosecution case, the District Education Officer gave his written statement before S.H.O. Rosera regarding construction work of Upgraded Primary School, Kailutol, Block Rosera that the building construction of the said school is built till now roof level and the petitioner and the co-accused person namely Mrs. Asha Kumari had withdrawn Rs. 2,34,900/- for completing the said construction work.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The entire story is based on commission amount. The mother of the petitioner has donated the land for school building. As per para 3 of the bail application, petitioner has no criminal antecedent.

5. Vide order dated 18.07.2025, a report was called for from the District Programme Officer as well as from Block Education Officer, Rosera (Samastipur) regarding the stage of construction of the school building pertaining to Rosera P.S. Case No. 162 of 2012.

6. In compliance of the said order, a report regarding stage of construction has been received by way of counter affidavit in which it is mentioned that a certificate has been issued that the construction work has already been completed and nothing remained incomplete.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from the date of receipt/production of this order and in the event of his arrest or surrender in connection with Rosera



P.S. Case no. 162 of 2012, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Rosera (Samastipur), subject to the conditions as laid down under section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS).

(S. B. Pd. Singh, J)

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