

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51079 of 2025**

Arising Out of PS. Case No.-97 Year-2025 Thana- HALSI District- Lakhisarai

Vakil Yadav S/o Prameshwar Yadav R/o Village - Bilauri, P.S - Lakhisarai,
District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER**

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 316(2), 318(4) and 3(5) of Bharatiya Nyaya Sanhita.

3. The prosecution case is to the effect that the allegation upon the petitioner is that without any approval from the irrigation Department, the Chhath Ghat on the bank of the canal was constructed and thereby public money was misused by the petitioner and others.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner was the Panchayat Secretary at the relevant time and the allegation is not of no construction being done and payments being given instead it has



been alleged that the said work was carried out without the approval of the irrigation department. Learned counsel next submits that such construction was not possible without the approval of the officers and no payment could have been done alone by the petitioner for such work being carried out. It has lastly been submitted that though the petitioner has one criminal case pending against him, however, from perusal of the present F.I.R. no case is made out against the petitioner.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Halsi P.S. Case No. 97 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his



close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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