

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.61702 of 2025

Arising Out of PS. Case No.-291 Year-2022 Thana- KATEYA District- Gopalganj

Ajay Kumar Yadav S/O Harkesh Yadav @ Harikesh Yadav Resident of Vill.-  
Chhitauna, P.S.- Kateya, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 64527 of 2025

Arising Out of PS. Case No.-291 Year-2022 Thana- KATEYA District- Gopalganj

Rambilash Yadav @ Ramvilas Yadav S/o- Dukhi Yadav Resident of  
Chhitauna P.S- Kateya, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61702 of 2025)

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 64527 of 2025)

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER

7      01-04-2026      Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Kateya P.S. Case no. 291 of 2022 registered under section 406, 409, 420, 120B and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states



that a work of total sum of Rs.17,19,747.00/- not having been done, the same had been defalcated by the two petitioners herein.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The allegations levelled in the FIR are false and incorrect. Work for the total amount has already been done and the remaining balance amount has already deposited by the petitioners with the respondent authorities. Thus the account with respect to the work which finds mention in the FIR, no amount has been defalcated. The petitioners who were in custody since 30.4.2025 were not having any criminal antecedent were enlarged on provisional bail vide order dated 13.1.2026. It is lastly submitted that a counter affidavit has been filed on behalf of the respondent State categorically stating therein that the account with respect to the petitioners have been settled and no amount remains due.

5. The application for bail is opposed by learned APP for the State. However referring to the affidavit filed on behalf of the District Collector, Gopalganj and more particularly paragraph no.7 thereof, it is stated that the work with respect to the petitioners has already been completed and that there is no misappropriation of Government funds.



6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioners having remained in custody since 30.4.2025 and specially the statement made in the counter affidavit of the District Magistrate, Gopalganj, the provisional bail granted to the petitioners in connection with Kateya P.S. Case no. 291 of 2022 to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Gopalganj by order dated 13.1.2026 is hereby confirmed.

**(Partha Sarthy, J)**

saauravkrsinha/-

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