

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71939 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- NAUHATTA District- Saharsa

Sudhir Kumar @ Sudhir Kumar Bharti Son of Satya Narayan Yadav @ Shiv
kumar Yadav R/o - Chandrayan, P.s - Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 409
and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that in light of directions received from the District
Magistrate, Saharsa dated 08.06.2025 with regard to the
irregularities found in the distribution of G.R among the flood
affected families of flood affected *Panchayat* of Nauhatta zone in
the flood year 2023, the FIR was instituted alleging that G.R.
amount was provided to more than 1200 ineligible beneficiaries.
4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of the allegation is against the government officials, but then petitioner is not a government employee and during the course of investigation, it transpired that petitioner took commission of Rs. 500 for getting the G.R. amount distributed to ineligible beneficiaries. It is further submitted that similarly situated co-accused Kapilesh Kumar has been granted the privilege of anticipatory bail by an order dated 11.02.2026 in Criminal Miscellaneous No. 71273 of 2025 passed by a learned Co-ordinate Bench.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner and submits that ineligible beneficiaries were given the benefit at the cost of eligible beneficiaries and involvement of petitioner has transpired hence if privilege of anticipatory bail is granted, the petitioner may abscond since he is not a government employee, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact that Kapilesh Kumar has been granted the privilege of



anticipatory bail, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Nauhatta P.S. Case No. 142 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. One of the bailors of the petitioner shall be his father namely Satya Narayan Yadav @ Shiv Kumar Yadav.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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