

IN THE COURT OF SMT. ARTI KUMARI SINGH,
ADDITIONAL SESSIONS JUDGE- IVth,
CIVIL COURT, BHOJPUR AT ARA- 802301.
Anticipatory Bail Petition No. 904 of 2026
Arising out of Barhara P.S. Case No. 261 of 2018

IN THE MATTER OF:-

1. Harendra Prasad, S/o- Dasharath Thakur, Age – 51 years.

(R/o- Village Ramshahar, P.S. Barhara, District- Bhojpur)

.....Petitioner

Versus

1. State of Bihar

.....Opposite Party

Learned counsel for the State : Sri Ram Prasad Ram, Ld. Additional Public Prosecutor.

Learned counsel for the Petitioner : Sri Vidya Niwash Singh, Ld. Advocate.

ORDER

22.05.2026

1. This anticipatory bail petition has been filed on behalf of the accused / petitioner namely **Harendra Prasad** who is apprehending his arrest in the hands of police in connection with Barhara P.S. Case No. 261 of 2018 registered for the alleged offences under sections 420 and 409 of Indian Penal Code read with Section 34 of Indian Penal Code.
2. Heard Sri Vidya Niwash Singh learned counsel for the petitioner as well as Sri Ram Prasad Ram learned Additional Public Prosecutor for the State on bail petition.
3. As per F.I.R., petitioner is alleged to have not completed the school building construction work against the fund of Rs. 1,02,891/- allotted to him for the same.
4. It is submitted by the learned counsel for the petitioner/accused that an anticipatory bail petition vide A.B.P. No. 1167 of 2018 was filed by the petitioner which was rejected by the court of Id. Additional Sessions Judge - IIIrd, Ara, thereafter no bail petition either regular or anticipatory has been filed by the petitioner before this court or before the Hon'ble High Court, Patna. It has further been submitted that the allegations made in the FIR are completely false and he has been falsely implicated in this case. It has further been submitted that no case under Sections 420 and 409 I.P.C. is made out against the petitioner. The petitioner is teacher of Middle School and Rakhi Devi was secretary of the said school and all the cheques issued with signature of both persons. The school building construction work was already completed according to the plan thereafter the petitioner has given a petition before the Project Officer of Education Department, Ara on 16.07.2018 that the school building work is completed and thereafter the Assistant Engineer, Education Project, Bhojpur issued No Objection

Certificate in favour of petitioner which is attached with bail petition. It has further been submitted that the petitioner has deposited the remaining balance of Rs. 60230/- in the account of Bihar Educational Project, Bhojpur. It has further been submitted that the other co-accused persons carrying similar nature of allegation has been granted anticipatory bail by this court as well as concerned lower court and the case of the present petitioner is standing on similar footing. Petitioner has no criminal antecedents.

5. The learned Additional Public Prosecutor vehemently opposed the bail petition and submitted that there is serious allegation levelled against the petitioner, so, he does not deserve bail.
6. I heard both the parties and perused the FIR, case record along with case diary which transpires that petitioner is alleged to have not completed the construction work against the fund allotted to him by the government. Further appears that a certificate had been issued by the Office of District Education Officer, Bhojpur in favour of petitioner Harendra Prasad where it is clearly stated that the petitioner had completed school building work and remaining amount of Rs. 60230/- was deposited in account of Bihar Educational Project, Bhojpur on 21.07.2022 which is attached with bail petition. Further appears that the other co-accused person carrying similar nature of allegations has been granted anticipatory bail by this court.
7. Considering all these discussed facts, in my view, a lenient approach can be taken in respect of the petitioner's prayer. Accordingly, the anticipatory bail petition of the above named petitioner is hereby **allowed** and in event of his arrest or surrender before the court below within 30 days from the receipt of this order he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of the court below subject to conditions as laid down under Section 482 of B.N.S.S. subject to the following conditions:-
 - (i) The petitioner/accused shall co-operate with trial as and when required to do so.
 - (ii) The petitioner/accused shall not commit an offence of similar nature.
 - (iii) The petitioner shall, directly or indirectly, shall not try to impress upon the witnesses of the case.

Dictated and corrected by me

Arti Km Singh

(Arti Kumari Singh)
Additional Sessions Judge – IVth,
Bhojpur at Ara.
22.05.2026