

Dandkhora case no. 31/2026
U/S 406, 420 of the I.P.C.
Accused Name- Kameshwar Yadav
P.O.-Asutosh Rai. A.S.J.-II, Katihar
A.B.P. NO. 709/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II

DISTRICT-Katihar
(A.B.P. No. 709/2026)

In the matter of

**1. Kameshwar Yadav aged about 59 years S/o Shri Shyam Narayan Yadav
R/o- Vill- Boura, P.S. Dandkhora, District- Katihar.**

.....Accused/petitioner.

Vs

State of Bihar.....Opposite Party.

Dandkhora P.S. case no. 31/2026

U/S- 406, 420 of the I.P.C.

Ld, advocate for petitioner- Shri Kundan Kumar Yadav

Ld, A.P.P. for the State- Shri Md. Azaj Alam

ORDER

30.06.2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely Kameshwar Yadav who is apprehending his arrest in connection with aforesaid case.

Heard the ld. counsel Shri Kundan Kumar Yadav appearing on the behalf of the petitioners and Ld. A.P.P. Shri Md. Azaj Alam on the behalf of the state.

As per prosecution case of informant to this case namely Amrendra Kumar Gupta lodged a written report before S.H.O., Dandkhora to this effect at present he is posted as a Sahkarita Prasar Padadhikari, in the block- Hasanganj and he is in additional in-charge of Dandkhora block. Informant has further alleged that as per order of District Co-operative Officer, Katihar total Rs. 11,10,000/- were transferred in the bank account no. 000134004002655 of Maheshpur P.A.C.S. for the purpose of construction of warehouse/godown. It is further alleged that said all amounts Rs. 11,10,000/- were withdrawn by the then chairman of Maheshpur P.A.C.S. accused-petitioner namely Kameshwar Yadav with. However, till today no evidence has been presented regarding the use of said amount in the construction of said warehouse/godown. Further, neither the warehouse work has been completed nor any evidence has been provided regarding the use of said amount. While the then chairman of Maheshpur P.A.C.S. has withdrawn the government funds from the bank account of the P.A.C.S. It has been further alleged that the warehouse construction work has not been completed till the financial year 2016-17 and there is strong possibility of embezzlement of government funds. Accordingly it has been prayed to take legal action against the petitioner.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is quite innocent and he has committed no offence and the petitioner has falsely been implicated in this case. He has further submitted that this case is instituted under section 406, 420 of the I.P.C. but now a days said sections are not maintainable

either in fact or law that is why from every pros and cons this case is nothing. He has further submitted that the petitioner committed no any offence from any way and petitioner furnish all work of the Godown building and no any fault by the petitioner with the department and not any notice has been served to the petitioner from postal department by the concerning authority. Accused-petitioner has got one criminal history vide Dandkhora P.S. case no. 24/2026. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, learned A.P.P. has vehemently opposed the prayer for anticipatory bail and has submitted that from record it is evident that petitioner has mis-appropriated the public funds relating to the construction of warehouse and investigation is still pending against the petitioner. So, he doesn't deserve for anticipatory bail.

Heard the both parties and perused the case record from the perusal of case record it is evident that there is allegation against the petitioner that total Rs. 11,10,000/- was transferred in the bank account of Maheshpur P.A.C.S. and being the chairman of said P.A.C.S. accused-petitioner has withdrawn all the amounts from the said bank account but he neither completed the construction work of said warehouse/godown and thereby he has embezzled huge public funds. Further, witnesses of the case diary have also supported the case of prosecution and from record it prima facie appears that present petitioner has embezzled huge amounts of public funds.

So, having considered the above facts as well as submissions made by Ld. A.P.P., I am not inclined to grant the privilege of anticipatory bail to the aforesaid accused-petitioner. Hence, this anticipatory bail petition filed on behalf of the accused-petitioner namely Kameshwar Yadav is hereby rejected.

**Addl. Sessions. Judge-II
Katihar**

Date of Order	30.06.2026
Date of Reserving Order	N/A
Uploading Date	09.07.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar