

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23348 of 2022

Arising Out of PS. Case No.-114 Year-2020 Thana- SAHAJITPUR District- Saran

Sunil Kumar Ray, Son Of Shiv Prasad Ray Resident Of Village - Batrouli,
P.S.- Sahajitpur, Distt.- Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 406
and 420 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and was the
Chairman of Goa Piprati PACS and the allegation against him is
of siphoning of Rs.5,19,750/- from Bihar State Co-operative
Bank, Chapra as he had received 270 quintals of wheat for the
marketing season 2020-21 and for which, the said amount was
credited, but the petitioner neither supplied the said wheat to
S.F.C. nor returned the said amount to the Bank.

The learned counsel for the petitioner submits that the



petitioner earlier had deposited Rs.36,000/- and thereafter, an amount Rs.4,83,750/- were due. It is submitted that petitioner has already deposited Rs.4,83,750/-, as such, sending the petitioner to jail would not serve any purpose when he has returned the entire amount.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sahajitpur P. S. Case No.114 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioner shall verify from the informant as to whether the said amount, as submitted, has been deposited by the petitioner or not. In the event, if the amount has been



deposited, then the petitioner shall be released on an anticipatory bail forthwith and if the amount has not been deposited, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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