

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15685 of 2023**

Arising Out of PS. Case No.-497 Year-2022 Thana- GOPALGANJ TOWN District-  
Gopalganj

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SUMIT KUMAR S/O SRI VIJAY KUMAR SINGH Resident of Village-  
Singasini, P.S.- Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.  
For the Opposite Party/s : Mrs. Rina Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      11-07-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
23.12.2022 in connection with Gopalganj Town P.S. Case  
No.497/2022, dated 20.06.2022, for the offences punishable  
under Sections 406, 420, 379 and 34 IPC.

According to prosecution case, the petitioner being the  
staff of Satya Micro Capital, Gopalganj entrusted with the job of  
collection and he has collected Rs.1,28,620/- but he did not  
deposit the same in the office.

Learned counsel for the petitioner submits that the  
petitioner has clean antecedent and he has falsely been  
implicated in the present case merely on the basis of suspicion.



He further submits that as per allegation in the F.I.R., the petitioner was entrusted with the job of collection and the petitioner has collected Rs.1,28,620/- but he did not deposit the same in the office of the informant. He further submits that from bare perusal of the F.I.R. it transpires that when the petitioner has not come to the office, how the informant has come to know about his collection to the tune of Rs. 1,28,620/-. He further submits that in fact the job of the petitioner is only to help the persons in filling up the forms for opening account in the bank and he has nothing to do with the transaction of money, which is directly deposited by the account holders in the bank and nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 23.12.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned C.J.M.,  
Gopalganj in connection with Gopalganj Town P.S. Case  
No.497/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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