

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43999 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Randhir Kumar Pandit S/O Kameshwar Pandit @ Rameshwar Pandit R/O
Village- Dwarikapur, P.S- Sarairanjan, Distt.- Samstipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
04.05.2023, in connection with Ghorasahan P.S. Case No. 229
of 2023, F.I.R. dated 02.05.2023 registered for the offences
punishable under Sections 420, 406 and 409 of the Indian Penal
Code.

3. Allegation against the petitioner is that he being a
Field Officer, who used to collect money of L & T Finance
Company, Branch Ghorasahan, had collected Rs. 1,34,850/- and
informed to the Branch Officer that in the way one person came
on Glamour motor-cycle and looted the said collected money.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Further submits that it has come during investigation that the petitioner has transferred Rs. 71,000/- in the account of the Informant and he had expended Rs. 1850/- and Rs. 62,000/- has been recovered from the possession of the petitioner. He further submits that it appears from the aforesaid that the petitioner has not embezzled any amount as alleged in the F.I.R. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.05.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Sikrahna, Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 229 of 2023, 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 witness, 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 antecedents, 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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