

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70001 of 2022

Arising Out of PS. Case No.-275 Year-2022 Thana- SONBERSA District- Sitamarhi

SHASHI RANJAN SAH @ SHASHI RANJAN KUMAR Son of Rajendra
Sah Resident of Village - Narkatiya Indarwa, P.S.- Sonbarsa, District -
Sitamarhi, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Advocate
For the Opposite Party/s	:	Mr.Parmeshwar Mehta, APP
For the BSFC	:	Mr.Shailendra Kumar Singh, Advocate
		Ms.Utkarsha Utpal, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-04-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State as well as learned counsel for the B.S.F.C.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R and
apprehending his arrest in connection with Sonbarsa P.S. Case
No. 275 of 2022 registered for the offences punishable under
Sections 420 and 409 of the Indian Penal Code (in short
'I.P.C.').

The allegation against these petitioner is to defalcate
to the amount of Rs. 59,55,915/- being Chairman of the Indarwa



PACCS, along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that out of Rs. 59,55,915/-, Rs. 42,54,285/- has already been paid to informant and the remaining amount of Rs. 17,01,630/-, petitioner undertake to deposit with informant within nine (9) months of this order. It is submitted that the amount as stated will be deposited to the account of Bihar State Foot Corporation (in short B.S.F.C.). Learned counsel make his statement at Bar that the amount of 17,01,630/- is undisputed and there is no any pre-condition to deposit the same with the B.S.F.C. as calculation of interest or selling of any land as mentioned under Para-6 of the present bail petition.

Learned counsel appearing on behalf of the B.S.F.C. submitted that the Hon'ble Supreme Court clarified all such issues while deciding SLP (Criminal) No. 1779 of 2016 vide order dated 28.02.2017 and observed to enlarge all such petitioners on provisional bail, if they furnish undertaking to deposit balance amount within specified period of time.

Considering the aforesaid facts and circumstances, as petitioner undertakes to deposit balance amount of Rs. 17,01,630/- within Nine (9) months, let above named petitioner, in the event of his arrest or surrender within a period of four



weeks, is directed to 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 the learned Judicial Magistrate-I Class, Sitamarhi/concerned Court, in connection with Sonbarsa P.S. Case No. 275 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with a condition:

“That if petitioner failed to produce certificate as regard to depositing amount of Rs. 17,01,630/- in the bank account of B.S.F.C. and also to produce the certificate of said effect before the concerned Courts within nine (9) months, the bail bond of the petitioner shall be cancelled by the learned Trial Court/concerned Court itself.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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