

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11862 of 2024

Arising Out of PS. Case No.-428 Year-2022 Thana- RAJGIR District- Nalanda

Vikash Kumar S/o Basant Rajbanshi R/o Barhari, P.S.-Chabilapur, Distt.-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate
For the State : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Rajgir
P.S. Case No. 428 of 2022 instituted for the offence under
Sections 420 & 409 of the Indian Penal Code.

3. Prosecution case in short is that petitioner has
misappropriated Rs. 12,48,483/- on the pretext of getting loan
and the aforesaid amount was not deposited in the Branch. Later
on, petitioner assured to deposit the aforesaid amount in the
bank and deposited Rs. 1,76,850/- but the remaining amount
i.e., Rs. 10,71,633/- has not been deposited yet.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-08-2023. Petitioner is a



man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would reveal that petitioner was working to the post of Customer Relation Work and not as the collector of the loan amount. It is next submitted by learned counsel for the petitioner that petitioner is ready to deposit the remaining amount i.e., Rs. 10,71,633/- within six months after furnishing his bail bonds.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and the fact being petitioner is ready to deposit the remaining amount i.e., Rs. 10,71,633/-, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajgir P.S. Case No. 428 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner fails to deposit the remaining amount i.e., Rs. 10,71,633/- in the Bank within six months after furnishing his bail bonds, the informant will be at liberty to file a petition for cancellation of bail bonds of the petitioner in the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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