

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12068 of 2024**

Arising Out of PS. Case No.-413 Year-2016 Thana- BEGUSARAI TOWN District- Begusarai

Subhash Kumar, Male, aged about 29 years, Son of Ram Udgar Ram,  
Resident of Village- Bakhari, Ward No. 1, P.S.- Chhowrahi O.P., District-  
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

**ORAL ORDER**

2      05-03-2024      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Begusarai Town PS Case No. 413 of 2016 instituted for the  
offences punishable under Sections 409 and 420 of the Indian  
Penal Code.

3. As per the prosecution case, the petitioner along  
with co-accused is alleged to have misappropriated the sum of  
amount which is given to them for depositing in SBI ATMs.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence and has  
falsely been implicated in this case. Although the petitioner is  
named in the FIR but the alleged defalcated amount of Rs. 10  
lacs has already been deposited in the concerned ATM by the  
petitioner which is evident from para 8 of the petition. No



specific role has been attributed to the petitioner. It is further submitted that the petitioner is in judicial custody since 27.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, and the impugned order of the learned Additional District and Sessions Judge-II, Begusarai dated 09.01.2024, it appears that petitioner is named in the FIR and defalcation of money regarding Rs. 10 lacs has deposited by the petitioner which is evident from para 8 of the petition and similarly situated co-accused namely, Mantoon Ram @ Mantun Ram has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 10080 of 2023 vide order dated 24.08.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st, Class, Begusarai in connection with Begusarai Town PS Case No. 413 of 2016.

**(Ramesh Chand Malviya, J)**

Anand Kr.

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