

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44336 of 2024

Arising Out of PS. Case No.-200 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

Shrawan Kumar Son of Nathuni Yadav R/O Vill.- Chatra P.S.- Keoti, Dist.-
Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection
with Sadar P.S. Case No. 200 of 2024 dated 25.04.2024,
instituted for the offence punishable under Section 409 of
the Indian Penal Code.

3. The prosecution case, in short, is that for the
financial year 2023-24 on 13.04.2023 the contract of
Darbhanga Bus stand was fixed at Rs. 1,52,05,000/- only in
the name of the petitioner in which the settlement amount
was to be deposited but the petitioner deposited only Rs.
82,96,265/- and rest due amount i.e. Rs. 69,08,735/- was not



paid. It is alleged that petitioner has embezzled government money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. At the very outset, learned counsel for the petitioner submits that petitioner is ready to pay the due amount in six installments. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sadar P.S. Case No. 200 of 2024, he shall be released on provisional anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

(i). That the petitioner shall pay Rs. 15,08,735/- at



the time of furnishing bail bond i.e. before the appropriate authority and shall produce a certificate regarding the same before the court below. The rest amount shall be paid into six equal monthly installments and the receipt of the same thereof shall be produced before the court below.

(ii). If the petitioner fails to deposit the amount for the two consecutive months and to produce the receipt before the court below his bail shall automatically be cancelled.

(iii). The concerned authority is directed to accept the remaining amount from the petitioner in the manner indicated above.

(Khatim Reza, J)

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