

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73377 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- GOVINDGANJ District- East
Champaran

Amit Kumar Son of Lal Babu Chaubey Resident of Village -Manpur Brit PS
-Govindganj, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Adv.
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Govindganj (Malahi) P.S. Case No. 190 of 2024 for the offences punishable under Sections 403, 406 and 409 of the I.P.C., lodged on 03.05.2024 by the informant, Kamlesh Prasad Sah.

3. As per the prosecution story, the informant alleged that the petitioner being the Government employee, on the said date had kept the office closed and as such, there was allegation of misappropriation of fund. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner was the only employee in the said office, on the fateful day, his wife was ill and admitted to the hospital. Further on the very next day, he deposited the amount and a certificate



was also issued to this effect by the concerned officials of Motihari (Annexure-3 to the petition) but despite that he was picked up.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the aforesaid submission put forward by the parties as also the facts on record, the petitioner do not have criminal antecedent, the amount has been returned to the office, F.I.R. lodged and he will be facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Govindganj (Malahi) P.S. Case No. 190 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J.)

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