

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2659 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- HULASGANJ District- Jehanabad

1. Satish Kumar @ Satish Kumar Singh SON OF Late Raj Kishore Sharma R/O Village Mokimpur Police Station Hulasganj District-Jehanabad at present Chairman of PACS, Khudauri
2. Ravindra Kumar SON OF PARMATMA SHARMA R/O Village-Bauri, Police Station Hulasganj District-Jehanabad at present PACS Manager, Khudauri

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar,Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr.Sanjay Kumar, learned counsel for the petitioners and Mr.Parmeshwar Mehta, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hulasganj P.S.Case No.150 of 2023, FIR dated 19.08.2023 registered for the offences punishable under Sections 406,409,420,34 of the Indian Penal Code.

3.As per FIR, the petitioners have defalcated the Govt. money to a tune of Rs.69,23,450/- (Sixty Nine Lacs Twenty Three Thousand Four Hundred Fifty Only).

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. As per allegation in the FIR, the petitioners have defaulcated the Govt. money to a tune of Rs.69,23,450/- (Sixty Nine Lacs Twenty Three Thousand Four Hundred Fifty Only). Learned counsel for the petitioners submits that the petitioners are ready to deposit Rs. 30,00,000/-(Rs. Thirty Lacs) in the official account of the District Cooperative Officer, Jehanabad and the petitioners are ready to abide by the final outcome of the criminal case.

5. Learned A.P.P. for the State has no objection in this regard.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Hulasganj P.S.Case No.150 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) At the time of furnishing bail bond, the petitioners



shall deposit Rs. 10,00,000/- (Rs. Ten Lacs) by way of demand draft in the official account of District Cooperative Officer, Jehanabad and learned court below is directed to hand over the said demand draft to the informant or his representative and the rest amount of Rs. 20,00,000/- (Rs. Twenty Lacs) shall be paid in the official account of the District Cooperative Officer, Jehanabad in six equal installments and if the petitioners fail to pay any installment, the informant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioners.

(II) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(III) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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