

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4525 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- DEEPNAGAR District- Nalanda

Shrawan Kumar S/o- Late Meghu Sao Village- Deep Nagar , Meghi
Nongawan Ps- Deep Nagar Dist, Nalanda Bihar Sharif, Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Adv

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner, learned APP
for the State.

2. Petitioner is apprehending his arrest in a case registered for the offences punishable under sections 188, 379, 461, 462, 120B, 420/34 of the Indian Penal Code.

3. As per the prosecution case, the informant, who is a bank official has alleged that due to non payment of the loan taken by the petitioner, the account had became NPA in the year 2014. It is also alleged that bank had taken physical possession of the assets on 13.11.2017 and had locked and sealed the premises in the year 2017 itself. The main allegation on the petitioner is that when the Magistrate went to the house to hand possession of the auction purchaser, another different lock was found at the door and it is alleged that the door had been opened



and some items had been removed from the said house.

4. Learned counsel for the petitioner submits that all other sections are bailable except section 379 of the IPC. The petitioner is an old man aged about 67 years and there is business dispute between the owner of the house and bank, which is still pending adjudication in the court. It is further submitted that the house in question originally belong to the petitioner and his family and after it getting seized in the year 2017, no body visited the house and it seems during the lock down period in 2021, some anti social elements removed the lock and took away some articles. The attention of this court has also been drawn to Annexure-2, which is letter dated 02.09.2024 of the Punjab National Bank, according to which, the articles in the house were returned to the petitioner. Hence, there is no question of committing theft in his own house and of his own articles. Similarly, situated co-accused persons have been granted anticipatory bail vide order dated 08.05.2025 passed in Cr. Misc. No.88284 of 2024 and the other co-accused persons have already been granted the privilege of anticipatory bail on certain conditions.

5. The learned APP for the State opposes the prayer for anticipatory bail.



6. In such view of the matter, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall 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 court below where the case is pending/ successor court in connection with Bihar Sharif Deep Nagar P.S. Case No. 166 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the condition laid down in the order dated 08.05.2025 passed in Cr. Misc. No.88284 of 2024.

(i) One of the bailor should be the family member/ relative of the petitioner who shall provide official document to show his/ her bond fide.

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

(iii) The petitioner shall in no way try to induce or promise or threaten 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 bail bonds.

(Soni Shrivastava, J)

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