

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9652 of 2025

Arising Out of PS. Case No.-195 Year-2024 Thana- BAJPATTI District- Sitamarhi

Saroj Kumar @ Saroj Baitha, S/o- Bindeshwar Safi, Resident of village- Parsauni near pound ward no-1, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 22-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bajpatti P.S. Case No. 195 of 2024 registered for the offences punishable under Sections 316(5), 318(4), 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report, the prosecution alleges that on complaint being made by the customers that the F.I.R. named accused persons, in collusion with each other deposited the customers' amount in their own accounts; an enquiry was conducted and it has been found that altogether Rs.16,25,500/- has been misappropriated. It is further alleged that co-accused Sangeeta Singh, Gopal Jha and Indrajit Kumar have misused their respective position of being employees of the Postal Department, Bajpatti Sub-post Office and finally they



found guilty of misconduct, accordingly the present F.I.R. came to be lodged.

4. Learned Advocate for the petitioner contended that as per the F.I.R., the R.D. account was opened long back in the year 2018-2021 in the post office through MPKBY agent Sangeeta Singh and other employees of the Post office. In the aforesaid factual background he submits that the petitioner cannot be held accountable for any misappropriation, as it was the duty of the agent to receive the money from the customer and deposit the same, but the accused persons, who are named in the FIR grabbed the entire money. The petitioner is not named in the F.I.R. and during the course of investigation only on account of the fact, the petitioner had been found working in Bajpatti Sub-post office since 16.05.2021 till 26.04.2022, as Sub-post Master, his name has also been implicated. It is further contended that one Yashwant Kumar Thakur @ Yashwant Kumar, who is also facing identical imputation, has already been allowed the privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 7822 of 2025 vide order dated 04.03.2025.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that on



account of misappropriation of huge amount, two F.I.Rs., besides the present one, have been instituted against the petitioner and others.

6. Considering the submissions advanced on behalf of the parties and taking note of the fact that R.D. account was opened by the agents in the year 2018-2021 and have been regularly receiving the money from the customers, whereas, the petitioner submitted his joining in the year 2021, coupled with the fact that the case of the petitioner is based on parity, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 195 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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