

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27102 of 2025

Arising Out of PS. Case No.-344 Year-2024 Thana- KATEYA District- Gopalganj

Surendra Prasad Dixit @ Surendra Dixit, Male, aged 55 years, Son of Kailash Dixit, Resident of Dharhara, P.S.- Kateya, District - Gopalganj, Pin (841437), Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumaresh Singh, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2025 Heard Mr. Kumaresh Singh, learned counsel appearing on behalf of the petitioner and Mr. Md. Ataur Rahman, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kateya P.S. Case No. 344/24 registered for the offence(s) punishable under Sections 316(5) of the BNS.

3. As per the allegation made in the FIR, the informant who is a manager of PACS Ltd. has alleged that as per resolution No.2 dated 30.04.2024, passed by the committee, the loan amount has been embezzled by the accused persons including the petitioner.

4. Learned counsel appearing on behalf of the petitioner submitted that he has received instruction from his



client that he is ready to return the principal amount of Rs.20,000/- and so far as the disputed amount of interest is concerned, he wants some time to resolve amicably with the Chairman of the PACS in question.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having perused the allegation made in the FIR, which has been lodged by the Manger of the concerned PACS as per resolution No.2 dated 30.04.2024 passed by the members of the committee, who have resolved to realize the amount of loan which had allegedly been embezzled by the petitioner along with other members, I find that in view of the terms and conditions, the action of the PACS itself can be questioned. The petitioner has realized that he is entitled to return the principal amount and for the rest amount, he will negotiate with the PACS. I find that the same can be resolved by the concerned PACS by giving opportunity to the petitioner. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from



today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj / Concerned Court in connection with Kateya P.S. Case No. 344/24, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Purnendu Singh, J)

Sanjay/-

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