

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21736 of 2025

Arising Out of PS. Case No.-591 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Nand Kishore Rai @ Nand Kishor Ray S/o- Late Sajaval Ray Village-
Baraharawa Po- Rupdih Kataha Ps- Muffasil Motihari Dist- East Champaran
... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritesh Kumar, Sahkarita Prasar Padhadhikari S/o- Sh. Tetar Pandit Prakhand
Motihari, Village- Rampur Po Jamalpur Gogri Ps- Gogri Dist- Khagaria
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rambhu Prasad Yadav, Advocate
	:	Mr. Shashi Bhushan Pandey, Advocate
For the Opposite Party/s	:	Mrs. Rina Sinha, APP
For the Informant	:	Mr. Dharendra Prasad Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-07-2025 Today, the present matter has been listed under the
heading “To be Mentioned” at the instance of the petitioner for
early hearing.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 591 of 2024 instituted for the offences
under Sections 318(4), 316(5), 316(2), 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

4. Prosecution case, in short, is that total Rs.
37,66,824/- equivalent amount of paddy has been embezzled by
the petitioner and other accused persons.



5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that petitioner is the President of Ramgarhwa PACS and the purchase of paddy was made online. Learned counsel further submitted that petitioner is suffering from heart diseases and facing numerous health issues. Learned counsel further submitted that petitioner is ready to pay the entire amount in installment. He further submitted that petitioner is ready to return the total embezzled amount, i.e. Rs. 37,66,824/- in installments. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.01.2025 and has three criminal antecedents.

6. Learned A.P.P. for the State and learned counsel for the informant do not raise objection to the limited prayer made on behalf of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the health related issues of the petitioner as also since the petitioner is ready to return the embezzled amount and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner 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 Court below/concerned Court in connection with Muffasil P.S. Case No. 591 of 2024, subject to the following conditions:

(I) Petitioner shall deposit Rs. 5,00,000/- (five lakhs) in the account of Sahakarita Padadhikari, East Champaran at the time of furnishing bail bonds.

(II) The remaining amount, i.e. Rs. 32,66,824/- shall be deposited in twelve equal monthly installments of Rs. 2,72,235/- each. The petitioner shall deposit each monthly installment on or before 15th of every month starting from the month following the furnishing of bail bonds.

(III) If the petitioner fails to comply the aforesaid conditions, the trial Court will have liberty to cancel the bail bonds of the petitioner.

9. The aforesaid amount to be deposited by the petitioner shall be subjected to the final outcome of the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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