

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25316 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- GOPALPUR District- Bhagalpur

Saurav Kumar S/O Sri Ashok Singh R/O Village- Adabari, P.S- Chautham,
Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Anand, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-04-2025 Heard Mr. Akash Anand, learned counsel for the

petitioner and Mr. Yogendra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Gopalpur P.S. Case No. 02 of 2024, F.I.R. dated
01.01.2024 for the offences punishable under Sections 408, 409
and 34 of the Indian Penal Code.

3. According to prosecution case, the informant
alleged that one Sonu Kumar defalcated some money of the
aforesaid company.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offences as alleged in the



F.I.R. He further submits that as per allegation co-accused, namely, Sonu Kumar has embezzled the amount of Rs. 47,920/- from the company of the informant and the name of the petitioner has been transpired merely on the basis of the disclosure made by the co-accused person, namely, Sonu Kumar and the co-accused person has defalcated the amount in question and the accused deposited the said amount in the account of the company on 06.01.2024 and after depositing the said money he has been granted bail by the learned Court below itself.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and his name has been transpired merely on the basis of the disclosure made by the co-accused person and the said co-accused person has already deposited the amount in question in the account of the informant/company on 06.01.2024, let the petitioner, above named, in the event of 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Naugachia in connection with Gopalpur



P.S. Case No. 02 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Jyoti Kumari/-

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