

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25104 of 2025

Arising Out of PS. Case No.-387 Year-2024 Thana- HASPURA District- Aurangabad

Sujit Kumar @ Sujeet Kumar S/O Binda Singh R/O Village- Durgapur, P.O.-
Khutahan, PS- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Central Co-operative Bank Ltd. , Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Ankita Kumari, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP
For the Bank	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 28-07-2025 Heard Ms. Ankita Kumari, learned counsel for the petitioner, Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor for the State and Mr. Sanjay Kumar, learned counsel for the Bank.

2. The petitioner is apprehending his arrest in connection with Haspura P.S. Case No. 387 of 2024, F.I.R. dated 26.12.2024 for the offences punishable under Sections 405, 409, 420 and 120A of Indian Penal Code.

3. As per the First Information Report, it is alleged that the petitioner, who is Chairman of Ahiyapur PACS is responsible for embezzlement of Rs.54,20,640/-(Fifty Four Lakhs Twenty Thousand Six Hundred and Forty Rupees).

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. Infact the petitioner has deposited Rs.22,13,000/-(Rupees Twenty Two Lakh Thirteen Thousand) which was defaulted by his predecessor, Chairman of Aahiyapur PACS.

5. The learned Additional Public Prosecutor and learned counsel for the Bank have vehemently opposed the prayer for bail of the petitioner.

6. Learned counsel for the Bank has produced a bank statement which suggest that as on today Rs. 31,40,489.68/- (Rupees Thirty One Lakh Forty Thousand Four Hundred Eighty Nine and Six Eight) is due against the petitioner.

7. Learned counsel for the petitioner submits that the petitioner is ready to pay the aforesaid amount within a period of six months.

8. Considering the aforesaid facts and circumstances, 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 J.M-1st Class, Aurangabad in connection with Haspura P.S.



Case No. 387 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) Petitioner shall produce a certificate from the Bank of deposit of Rs.10,00,000/-(Rupees Ten Lakhs) at the time of furnishing bail bond and rest amount of Rs. 21,40,489.68/- (Rupees Twenty One Lakh Forty Thousand Four Hundred Eighty Nine and Six Eight) shall be paid by the petitioner within a period of next five months from August 2025. If the petitioner fails to deposit the rest amount of Rs. 21,40,489.68/- (Rupees Twenty One Lakh Forty Thousand Four Hundred Eighty Nine and Six Eight) to the Bank, the Bank shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

ii. 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.

iii. 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.

iv. 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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