

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29144 of 2025

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

Shivchandra Kumar @ Shiv Chandra Sah S/o Binod Kumar Sah Resident of
Village - Bhutahi Phulkaha, near Hanuman Mandir, P.S.- Bhutahi, District-
Sitamarhi

... .. 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. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends arrest in a case
registered for the offence punishable under Sections 316(5),
318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, the informant states that
in spite of having given amount to the Postmaster of Bajpatti
Police Station, namely, Gopal Jha, it subsequently transpired
that the same had not been deposited in the Recurring Deposit
account of the informant. Large sum had been defalcated by
the accused persons including the petitioner herein and as
such the FIR.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The petitioner is not named in the FIR, his name transpired in this case during course of investigation. He further submits that there is specific allegation against co-accused Gopal Jha. He further submits that all accounts were opened and closed in the year, 2019-20 whereas the petitioner was posted as a Sub Postmaster from 10.12.2022 to 10.06.2023 in Bajpatti Sub Post Office and as such, this petitioner cannot be held responsible for the aforementioned period.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submits that petitioner has got two criminal antecedents.

6. Considering the nature of accusation, claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Judicial Magistrate-
1st Pupri at Sitamarhi in connection with Bajpatti P.S. Case
No. 195 of 2024, subject to conditions as laid down under
Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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