

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34199 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- BIHAR District- Nalanda

Pankaj Kumar S/O Sri Parshuram Prasad Singh Village- Chandrapura Dara
Bigha, P.S.- Karaiparsarai , District- Biharsharif at Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bihar P.S. Case No. 130 of 2025 registered for the offences punishable under Sections 316(5) and 318(4) of BNS,.

3. The allegation against petitioner is to draw excessive salary of Rs. 5,59,800/- from period of July 2024 to January, 2025.

4. It is submitted by Mr. Amit Kr. Jha, learned counsel appearing on behalf of the petitioner that out of clerical error and calculation petitioner drawn excessive salary of Rs. 5,59,800/- which was also approved by



concerned drawing and disbursing officer and when the matter came into his knowledge, he asked authority concerned to take it back. It is pointed out that aforesaid withdrawal was neither intentional nor deliberate rather it was a mistake of calculation. It is submitted that petitioner is willing to return entire amount of Rs. 5,59,800/- within 9 months in equal monthly installment i.e., Rs. 62,200/-.

5. Learned APP, opposed the prayer of bail.

6. Considering the nature of accusation and as petitioner is ready to return the excessive amount withdrawn by him as salary, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bihar Sharif at Nalanda/concerned Court, where the case is pending in connection with Bihar P.S. Case No. 130 of



2025, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS,
with further condition that:-

“(i) At the time of furnishing the bail bond
petitioner to deposit first installment i.e., of Rs. 62,200/-
and the rest of the installment be returned to the
authority concerned before the 7th day of every english
calendar month till its complete realization in next 8
months.

(ii) Receipt of payments be furnished before
learned trial court.

(Chandra Shekhar Jha, J)

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