

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48917 of 2025

Arising Out of PS. Case No.-818 Year-2024 Thana- JAHANABAD District- Jehanabad

Nitish Kumar @ Nitesh Kumar S/o Shiv Nandan Singh R/o Village-
Surangapur, PS- Kalpa, (Jehanabad), Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 14-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint case punishable for the offence under Sections 406, 409 and 420 of the Indian Penal Code.

3. As per prosecution case, this petitioner, who was chairman of PACS, in connivance with other co-accused persons, defalcated and misappropriated 250.7 M.T. Paddy equivalent to Rs. 55,35,46/-.

4. Learned counsel for the petitioner submits that petitioner did not defalcate the alleged amount of paddy, but to avoid future complication, he deposited CMR amount to Rs. 10,00,000/- in the State Food Corporation Godown and in proof of the same, the receipt along with calculation chart has been



annexed as Annexure P/2 to the petition. However, by filing supplementary affidavit, learned counsel for the petitioner submits that petitioner is ready to deposit the alleged defalcated amount i.e. Rs. 55,35,456/- in easy installments in the office of Block Cooperative Officer, Jehanabad.

5. Considering the same, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, 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 Chief Judicial Magistrate, Jehanabad in connection with Nagar (Kalpa) P.S. Case No. 818 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482 of the B.N.S.S. with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit **Rs. 20,00,000/-** (twenty lakhs) in the office of Block Cooperative Officer, Jehanabad/concerned office and receipt of the same shall be furnished along with bail-bond.

(B) Rest amount i.e. **Rs. 35,55,456/-** shall be deposited in the concerned office in five equal installments within a period of twelve months from the date of furnishing bail-bond.

(C) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”



6. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail without going into the merit of the case.

(Prabhat Kumar Singh, J)

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