

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39489 of 2025

Arising Out of PS. Case No.-275 Year-2016 Thana- BARARI District- Katihar

Shree Ram Pandit S/O Late Baso Pandit R/O Village- Sakraili, P.S- Barari,
Dist.- Katihar, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar S/O Bhuneshvari Prasad Gupta R/O Seemapur, Bajar, P.O-
Seemapur, P.S- Barari, Distt- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under sections 147, 148, 149, 406, 420, 467, 468, 469, 506 and 120B of the Indian Penal Code.

3. The prosecution case, in brief, is that this petitioner along with co-accused persons jointly running a Maa Kali Vikash Samiti Private Bank in the Sukraili Milik, Semapur and the informant opened one account on 28.07.2011 and initially deposited Rs. 50,000/- and thereafter deposited some more amount but the amount could not be returned to the informant



by the Bank and thus, the accused persons have committed misappropriation of the informant's money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that as per complaint, the informant deposited entire amount in the Bank and the petitioner has not received any refund from the account. The petitioner played no role in the alleged transaction and has no concern with the Bank.

5. Lastly, learned counsel on behalf of the petitioner submits that the petitioner is ready to deposit Rs. 50,000/- in the Nazarat of the civil court concerned, without admitting guilt and without prejudice to his right and contention, subject to outcome of the case.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, 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 the learned Additional District Judge-III, Katihar in connection with Barari Semapur P.S. Case No. 275 of 2016, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well



as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 50,000/- shall be deposited by the petitioner in the Nazarat of the Court below and shall file its receipt with the bail bond.

(ii) If the petitioner fails to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioner.

7. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail and this deposit would be subject to the final result of the criminal case.

(Prabhat Kumar Singh, J)

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