

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45779 of 2025

Arising Out of PS. Case No.-853 Year-2023 Thana- MASAUDHI District- Patna

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Pankaj Kumar S/o- Krishna Murari Prasad Village- Dahibhatta PS-Masuarhi
Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gaurav Kumar Verma

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner is apprehending his arrest in connection with Masaurhi P.S. Case No. 853 of 2023 instituted for the offences under Sections 420 and 406/34 of the Indian Penal Code. He has no criminal antecedent.

3. The prosecution case is to the effect that on the direction of District Co-operative Officer, the Co-operative Officer, Masaurhi Block has lodged the FIR alleging therein that the Chairman, Manager and Members of Nishiyawana PACS, Masaurhi Block are not depositing CMR and also for not depositing cash credit amount of Rs. 1,35,64,543/- only with the concerned bank.

4. It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case and he being the member of the concerned PACS has wrongly been assigned to deposit the CMR. It is further submitted by learned counsel for the petitioner that as far as the financial transactions are concerned, the same is done by the Chairman of the PACS and it does not concern with the members of the PACS to do the same. It is also submitted by learned counsel for the petitioner that there is a general and omnibus allegation against all the seven named accused persons. It is lastly been submitted that the petitioner is having clean antecedent and the similarly situated co-accused person has already been granted regular bail by this Court vide order dated 15.05.2025, passed in Cr. Misc. No. 26566 of 2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the allegation is on non-depositing of CMR and cash credit amount and not of usurping the said amount for personal gains and the petitioner being only a member of PACS and also that the petitioner is having clean antecedent, let the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest



or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Masaurhi P.S. Case No. 853 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(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 bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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