

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53204 of 2025

Arising Out of PS. Case No.-185 Year-2024 Thana- BAJPATTI District- Sitamarhi

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Gopal Jee Jha @ Gopal Jha S/O Suryadev Jha Resident of ward no 45,
Kailashpuri, Dumra, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar Sharma S/O Jagannath Thakur R/O Barari Fulwaria, P.S.-
Bajpatti, Dist.- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-08-2025 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bajpatti P.S. Case No. 185 of 2024 registered for the offences punishable under Sections 409, 420, 467, 468, 470, 471, 120(B) and 34 of the Indian Penal Code.

3. As per FIR all accused persons named in the FIR failed to deposited customer money in their personal account after collection, whereafter different complaint petitions was filed, leading to a primary enquiry where it was found that all persons including petitioner



misappropriated total of Rs. 16,00,000/- with further allegations that one Sangita Singh, Gopal Jha and Indrajit Kumar have misused their respective positions as staff members of the postal department of Bajpatti post office and upon enquiry found guilty of misconduct and misappropriation.

4. It is submitted by Mr. Amit Kumar learned counsel appearing on behalf of the petitioner that infact the amount in issue was collected by Indrajit Kumar, who is the husband of the Sangeeta Singh, an agent of post office and it was misappropriated by them only. It is submitted that without having any fault as petitioner was Deputy Post Master, he was implicated with present case. It is pointed out that the amount in issue was never deposited to personal account of petitioner or nothing transpired during investigation that same was misappropriated by this petitioner in his official capacity. While concluding arguments, it is submitted that this petitioner was never associated with alleged “MPKBY



Scheme” of the Post Office as he was in supervisory role. It is pointed out that similarly situated co-accused person namely, Shivchandra Kumar @ Shiv Chandra Sah was granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc No. 38451 of 2025 vide order dated 11.07.2025. It is also pointed out that petitioner was also named as accused in another case for same occurrence which was lodged by Bajpatti P.S. Case No. 132 of 2024 where he was granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc No. 14871 of 2025 vide order dated 23.07.2025.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of overall nature of accusations as discussed aforesaid, where petitioner *prima-facie* was only responsible for supervisory activities, coupled with the fact that several co-accused persons were granted anticipatory bail, accordingly above-named petitioner, 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 J.M. 1st Class Sitamarhi /concerned Court, where the case is pending in connection with Bajpatti P.S. Case No. 185 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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