

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56267 of 2025

Arising Out of PS. Case No.-146 Year-2023 Thana- BAUNSI District- Araria

Sumit Jha @ Sumit Prashan Jha S/o Manoj Kr. Jha R/o Kabilpur, PS-
Bahadurpur, Distt.- Darbhanga, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar Verma

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2025 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 under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons including this petitioner induced the complainant to pay total Rs. 5,66,490/- on the pretext of providing streetlight installation contract under the government project and it is alleged that despite payment, neither the agreement was executed nor the work commenced and thus, the accused persons misappropriated the alleged money.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Petitioner is merely an employee of the company and he has no decision making authority in financial matters of the company. Neither petitioner had control over the company account nor was a beneficiary of the said transaction. Moreover, the entire alleged amount has already been deposited by co-accused Nand Kishor Jha, who was Managing Director of the company, and he has been granted regular bail by the Court below itself, vide order dated 21.12.2024 passed in B.P. No. 1118 of 2024 (Annexure 1 to the supplementary affidavit).

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the fact that entire amount has already been deposited by co-accused Nand Kishore Jha, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 A.C.J.M. - 1, Araria in connection with Baunsi P.S. Case No. 146 of 2023, subject to condition as laid down under Section 438(2) of the



Cr.P.C. / Section 482(1) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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