

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71023 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- BARHARIA District- Siwan

Amit Kumar Son of Chhotelal Ray Resident of Village - Banwaripur, Masti Chak, P.S.- Dariyapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2025 1. 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 406, 409 and 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that Bharat Financial Limited provides loan to the needy females of villages to start business and collect money from them in weekly installments. It is further alleged that petitioner was posted at Bhahariya Branch of the Company as Field Staff and was working there for the last ten months. It is next alleged that petitioner collected an amount of Rs.55,777/- from three customers of the Company and did not deposit the money in the



loan account of the customers, thus alleges that the amount was misappropriated.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the date of occurrence is in between 01.07.2023 and 17.07.2023 but then a complaint case came to be instituted on 05.05.2024 i.e. after a delay of ten months, based on which, the instant FIR came to be instituted. It is next submitted that had the petitioner been involved in the occurrence, in that event, an FIR would have been instituted instantly instead of instituting a complaint case. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence. It is also submitted that if petitioner is finally convicted he will serve the sentence but if at this stage the petitioner is sent to jail and subsequently the petitioner is acquitted in the case then how his period for incarceration be compensated. It is also submitted that petitioner is a young boy aged about 22 years and in the event if petitioner is sent to judicial custody, based on a delayed FIR, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals.

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



anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barhariya P.S. Case No.243/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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