

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78366 of 2025

Arising Out of PS. Case No.-591 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Manish Kumar S/O Nand Kishor Ray Resident of village Baraharwa, P.O.-
Rupdih Suraha, P.S-Muffasil, District-East Champara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritesh kumar Son of Tetar Pandit Block Co-Operative Officer, Block-
Motihari, Residence of Village Rampur, P.O- Jamalpur Gogri, P.S-Gogri,
District- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parvin Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is apprehending his arrest in
connection with Motihari Muffasil P.S. Case No. 591 of 2024
for the offence under Sections 318(4), 316(5), 316(2) and 3(5)
of the BNS.

3. As per the prosecution story, the informant has
alleged that the last date for depositing CMR for the Kharif
Marketing Year 2023-24 was 31.10.2024. However,
Ramgarhwa PACS failed to supply 100% of the required CMR
equivalent to the total procured paddy. Despite being given
sufficient time to repay the cash credit loan, the committee has



not deposited the remaining CMR value, and as per the bank statement, an amount of Rs. **37,66,824/-** remains outstanding against the committee's loan. The petitioner is the manager of the said PACS.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to high handedness of the officer. Petitioner is PACS Manager of Ramgarhwa PACS, East Champaran. The PACS Manager is appointed on monthly basis, whose monthly salary is given by the Ramgarhwa PACS.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioner submits that petitioner is Manager of the PACS and his father is Chairman of PACS who has been granted bail by a Co-ordinate Bench of this Court vide order dated 02.07.2025 in Cr. Misc. No. 21736 of 2025 with condition that entire embezzled amount i.e. Rs. 32,66,824/- will be paid in twelve equal monthly installment i.e. Rs. 2,72,235/-. The petitioner being son of said accused ensures before this Court that if his father fails to deposit the entire embezzled amount in that event, he would pay the same within the prescribed time otherwise he will be liable for cancellation of bail. Keeping in



view the aforesaid facts, this Court is inclined to extend them the privilege of anticipatory bail **provisionally**.

7. Let the petitioners be released on **provisional bail** in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Motihari Muffasil P.S. Case No. 591 of 2024 subject to the conditions as laid down under Section 482 of B.N.S.S.

8. Trial Court is directed to confirm the provisional bail granted to the petitioner after verifying the deposit receipts of payment of the entire amount i.e. Rs. Rs. 32,66,824/- by the petitioner's father/petitioner in the account of Sahakarita Padadhikari, East Champaran.

9. Accordingly, the instant application stands disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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