

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75124 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- MOTIPUR District- Muzaffarpur

Umakant Ram @ Umakant Kumar S/O Late Shiv Ram Resident of Village-
Bhatuhawa, P.S- Manpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Ram Kishun Prasad, learned counsel for
the petitioner and Mr. Yogendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Motipur P.S. Case No. 149 of 2025, F.I.R. dated
04.05.2025 for the offences punishable under Sections 316(2).
318(4) and 303(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant,
who is Branch Quality Manger in Sugamya Finance in Motipur
branch alleged that the petitioner along with other co-accused
persons has misappropriated money and thus have cheated the
company and its customers.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. As per allegation in the FIR, the petitioner has embezzled a total amount of Rs. 3,45,855/- (Rupees Three Lakh Forty Five Thousand Eight Hundred and Fifty Five) in cash and Rs.80,000/- (Rupees Eighty Thousand) through UTR, altogether Rs.4,25,855/- (Rupees Four Lakh Twenty Five Thousand Eight Hundred and Fifty Five) from the company.

5. Learned counsel for the petitioner on the basis of instructions submits that the petitioner is ready to deposit the aforesaid amount in the account of Suganya Finance, Branch- Motipur, Bihar.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Motipur P.S. Case No. 149 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. At the time of furnishing bail bond, the petitioner shall produce a demand draft of Rs. 2,00,000/- (Rupees Two Lakh) in favour of Sugamya Finance, Branch-Motipur, Bihar and learned court below is directed to handover the said demand draft to the representative of the Sugamya Finance and rest amount of Rs. 2,25,855/-(Rupees Two Lakh Twenty Five Thousand Eight Hundred and Fifty Five) shall be paid to the representative of the Sugamya Finance within a period of three months in three equal installments. If the petitioner fails to deposit the rest amount of Rs. 2,25,855/-(Rupees Two Lakh Twenty Five Thousand Eight Hundred and Fifty Five) to the representative of the Sugamya Finance, the Sugamya Finance shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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

(Rajesh Kumar Verma, J)

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