

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74864 of 2025

Arising Out of PS. Case No.-554 Year-2023 Thana- SURSAND District- Sitamarhi

Om Prakash Sah S/O Late Hulashi Sah R/O Village- Lakshmipur, P.S.-
Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar, Advocate
For the State : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Suresh Kumar Ishwar, learned counsel for
the petitioner and Mr. Tarun Prasad Mandal, learned APP for the
State.

2. The petitioner is apprehending his arrest connection with Sursand P.S. Case No. 554 of 2023, dated 09.10.2023 registered for the offences punishable under Sections 467, 468, 406, 420 and 120B/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant was doing work of collection agent in the Mithila Vinali Nidhi Ltd. and the collected insurance money to the tune of Rs. 4,24,500/- (Rupees Four Lakhs and Twenty Four Thousand and Five Hundred) from the share holders was deposited in Mithila Vinali Nidhi Ltd. and the accused persons did not take



any action regarding payment of policy amount of the share holders.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. An amount of Rs. 4,24,500/- (Rupees Four Lakhs and Twenty Four Thousand and Five Hundred) in question already deposited in Mithila Vinali Nidhi Limited and petitioner has no concern at all with the alleged occurrence.

5. Learned counsel for the petitioner on instruction fairly submits that although the petitioner has no concern with the alleged occurrence and he is ready to pay the amount in question to the informant and he has stated the same in paragraph-14 of the bail petition.

6. Learned APP for the State has no objection in this regard.

7. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 554 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(i) The petitioner shall produce Rs. Rs. 4,24,500/- (Rupees Four Lakhs and Twenty Four Thousand and Five Hundred) by way of demand draft in favour of the informant namely, Pappu Kumar Sah at the time of furnishing bail bond and the learned Court below is directed to hand over the same in favour of the informant or his representative.

(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 witness, 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 bonds 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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