

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82923 of 2024

Arising Out of PS. Case No.-317 Year-2024 Thana- PUPRI District- Sitamarhi

Rohit Kumar S/O Satyendra yadav R/O Village - Majhaura, P.S. - Sursand,
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case for the offence punishable under Sections 406, 420, 419, 467 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant states that on 03.09.2023 the informant had given cash amount of Rs. 1,37,650 to the petitioner Rohit Kumar, who was the owner of the CSC of old State Bank of India, for depositing the same to the informant's account. Subsequently, the informant came to know that the said money was never deposited in the informant's account. Upon inquiry from the petitioner he threatened the informant. Hence, the F.I.R

4. Learned counsel for the petitioners submits that



petitioner has no concern with the alleged CSC and he is not the owner thereof and hence, the entire story and allegation of misappropriation of Rs. 1,37,650 of the informant is not true as against him. He further submits that there is delay of about ten months in lodging of the F.I.R and no plausible explanation is given in this regard. The petitioner undertakes to co-operate in the case/trial.

5. The application for bail is opposed by learned APP for the State on the ground that there are materials collected during course of investigation to support the case of the prosecution. The receipt showing the signature of the petitioner and the stamp of the CSC also substantiates the allegations made on behalf of the informant.

6. At this stage, the petitioner offers to make payment of half of the total alleged amount of Rs.1,37,650/- to the informant in four installments within a period of two months.

7. Considering the aforesaid facts and circumstances of the case and also considering the *bona fide* shown by the petitioner, I am inclined to grant the privilege of provisional bail to the petitioner upon making a payment of Rs.17,206/- (Rupees Seventeen Thousand Two Hundred and Six Only) as a first installment, a receipt of which would be shown at the time of



furnishing of the bail bonds and this amount would be paid to the informant who would be noticed by the learned Court below. Thereafter, the rest of the amount would be paid in three installments within a total period of 2 months from the date of furnishing of the bail bonds. It goes without saying that after the payment of the entire amount of Rs.68,825/- is made by the petitioner, the provisional bail granted to the petitioner would be confirmed by the learned court below.

7. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on **provisional bail** furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pupri P.S. Case No. 317 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

8. The application stands disposed of.

(Soni Shrivastava, J)

Harsh/-

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