

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76579 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- RANIYATALAB District- Patna

Pawan Kumar S/o Tapeswar Singh R/o Village - Barah, P.S - Ranitalab,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2025 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 offences punishable under Sections 409 and
420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that petitioner was the Chairman and Vinay was the Manager of
Barh PACS. Further, in the financial year 2022-2023, an amount
of Rs.58 lakhs was sanctioned for constructing a warehouse of
1000 mt. capacity out of which an amount of Rs.17,40,000/-
was sanctioned on 23.05.2023 and the second installment of
Rs.17,40,000/- was sanctioned on 25.09.2023 for completing the
warehouse. It is next alleged that the petitioner lost the PACS
Election in the year 2024 and the warehouse was not completed.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that an amount of Rs.58 lakhs was sanctioned for constructing a warehouse of 1000 mt. capacity but then only an amount of Rs.34,80,000/- was given to the PACS for completing the warehouse. It is next submitted that the warehouse was to be completed within a period of three months from the date when the last payment was made but then in the instant case the installment was not disbursed. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the construction of the warehouse started and was completed up till lintel level, as such, it cannot be alleged that the petitioner misappropriated the amount. It is further submitted that the amount was disbursed in the year 2023 and the FIR came to be instituted in the year 2025 i.e. after a delay of two years. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 Ranitalab P.S. Case No. 166 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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