

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89017 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- PURAINI District- Madhepura

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1. Amit Kumar Son of RamKumar Chaudhari Resident of Village- Naya Tola Hamidpur , Ward no 13 , P.S. Puraini , District Madhepura
 2. Dilip Kumar Chaudhary Son of Tej Narayan Chaudhary Resident of Village- Naya Tola Hamidpur , Ward no 13 , P.S. Puraini , District Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Cooperative Bank, Madhepura through its Branch Manager. Bihar
3. The Branch Manager, Bihar State Cooperative Bank, Madhepura Branch , Madhepura Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Advocate Mr. Ashwani Kumar, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP
For the Informant/Bank	:	Mr. Shashi Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 04-04-2025 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Puraini P.S. Case No. 164 of 2024 instituted for the offence under Sections 318(4), 316(5) of BNS.

3. The case of the prosecution is that altogether 79,96,559, rupees of government money was defalcated by the petitioners.



4. At the outset, learned counsel appearing on behalf of the petitioners has submitted that without going into the merit of this case, **the petitioners undertake to pay the amount with interest at the rate of eighteen per cent.** Learned counsel for the petitioners has also submitted that to show their bona fide, they will deposit rupees five lakhs along with interest at the rate of eighteen per cent within forty five days of the order passed by this Court. It has also been submitted that the amount is huge so the petitioners will be able to pay the rest amount with interest at the rate of eighteen per cent within two years.

5. Learned counsel for the informant/bank is present and he has got no objection from the above submissions.

6. Considering the above submissions of this case, I am inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Puraini P.S. Case No. 164 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Madhepura subject to the conditions as laid down under section 438(2) of the Cr.P.C. **with condition that rupees five lakhs along with the interest**



of eighteen per cent will be paid within forty five days and the rest amount with interest at the rate of eighteen per cent will be paid within two years failing which, the bail bond of the petitioners shall be cancelled by the trial Court itself.

7. It is made clear that the petitioners shall file the undertaking to that effect at the time of furnishing of the bail bond in the trial Court.

(Ashok Kumar Pandey, J)

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