

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14321 of 2026

Arising Out of PS. Case No.-453 Year-2025 Thana- MADHEPURA District- Madhepura

Suraj Kumar @ Suraj Anand, Son of Munchun Yadav @ Yogendra Yadav, R/o
Village - Tulsiya, Ward no. 03, P.S. - Bihariganj, Dist. - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Birendra Kumar, S/o Hazari Prasad Mandal, Resident of Village Bhadaul
Ward No 06 P.S. Madhepura Dist Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Adv. Mr. Manoj Kumar, Adv. Mr. Pooja Prasad, Adv. Mr. Rishi Sinha, Adv.
For the Opposite Party/s :		Mr. Aditya Narayan Singh.1, APP
For the O.P. No. 2	:	None

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Earlier notices were issued to opposite party no. 2
which has validly been served upon him, but there is no
representation on behalf of opposite party no. 2.

3. The petitioner apprehends arrest in connection with
Madhepura P.S. Case No. 453 of 2025 dated 11.04.2025,
registered for the offence punishable under Sections 316(2),
318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. The prosecution case, in short, is that the informant
runs a Nursing Home at Madhepura in which the petitioner was



an employee. The petitioner is alleged to have misappropriated Rs. 40 lakhs from the alleged hospital during his service period since 01.01.2019 to 20.10.2024 as detected after verification of the transactions of the accounts of the Nursing Home.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the present case has been lodged for defalcation of money of Rs. 40 lakhs during his service period since 01.01.2019 to 20.10.2024. It is submitted that the present F.I.R. has been lodged after 5 years of the said misappropriation of 40 lakhs. There is no material in the case diary to connect the petitioner to such defalcation. It is also submitted that the petitioner was an employee of the said nursing home and nothing has been recovered from the house of the petitioner to connect him with the said defalcation. The allegation against the petitioner is totally false and frivolous. It is further submitted that no audit report has been annexed with the F.I.R. to show that any amount of that period is mis-appropriated by the petitioner. Lastly, it has been submitted that he has no criminal antecedent.

6. Learned A.P.P. has opposed the prayer for bail of the petitioner.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Madhepura P.S. Case No. 453 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura, subject to condition as laid down under Section 482(2) of B.N.S.S..

(Khatim Reza, J)

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