

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16183 of 2026

Arising Out of PS. Case No.-164 Year-2021 Thana- NASRIGANJ District- Rohtas

Amit Kumar Tiwari @ Amit Tiwari S/o Shiv Kumar Tiwari, Resident of
Village - Karup, P.O.- Karup Indrahiyan, P.S- Sasaram Muffasil, Dist- Rohtas.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Subodh Kumar, Advocate
For the State : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Nasriganj P.S. Case No. 164 of 2021, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. As per prosecution case, petitioner had been working in C.S.P. being run by co-accused Pramod Tiwari. The informant deposited in fixed deposit account an amount of rupees seven lakhs and ninety-eight thousand on assurance of co-accused that after one year of maturity, the informant would receive the money back along with the interest. The allegation against the petitioner is that he used to issue receipts for the deposited money and the co-accused refused to return the money back to the informant and drove her out and thus



embezzled the money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that only allegation against the petitioner is that the informant deposited the amount in presence of this petitioner who was working as one of the staff of the co-accused and issued receiving for the deposited amount. Learned counsel further submits that the petitioner has no role in running of the C.S.P. and all transactions take place with the biometrics of the manager who runs the C.S.P. and in the present case, he is the co-accused Pramod Tiwari. Learned counsel further submits that, however, during investigation none of the witnesses stated about petitioner receiving any money or issuing any receipt. Further, the petitioner left this C.S.P. in July, 2018 and the amount deposited would have matured in the year 2019 as per the averment made in the FIR. Learned counsel further submits that the informant has not made any allegation against the petitioner and initially even the Police did not take any action against the petitioner as there was no evidence against him. But after passage of four years, the Police went in lookout for the petitioner though there is no substantive material against him. Learned counsel further submits that the co-



accused Pramod Tiwari has been granted the privilege of anticipatory bail by a learned co-ordinate Bench of this Court *vide* order dated 17.12.2023 passed in Cr. Misc. No. 36271 of 2023. The learned counsel lastly submits that the petitioner is having antecedent of one case in which he is on bail.

5. Learned APP opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner and further considering the lack of substantive material against the petitioner and also considering the possibility of false implication, let the petitioner above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas, Sasaram, in connection with **Nasriganj P.S. Case No. 164 of 2021**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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