

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25326 of 2026

Arising Out of PS. Case No.-196 Year-2025 Thana- PIRO District- Bhojpur

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Parmesh Kumar S/o- Late Ramchand Prasad @ Late Ramchandra Prasad
R/v- Chaturbhuji Baraon Ps- Piro Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabha Devi w/o Late Surendar Chaudhary R/o Village- Baraon, P.S.-Piro, District- Bhojpur
3. Welfare Buildings and Estate Pvt Ltd. 126/1, Rabindra Pally, P.O.- Khardah, P.S.- Khardah, North 24 Parganas, Kolkata- 700117

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Despite valid service of notice upon respondent no.
2 and 3, nobody appears to represent the opposite party no. 2
and 3.

3. The petitioner seeks bail in anticipation of his arrest
in connection with Piro P.S. Case No. 196 of 2025 instituted for
the offences punishable under Sections 316(2) and 318(4) of the
Bharatiya Nyaya Sanhita.

4. The allegation as per the FIR is that the petitioner
being a welfare agent and also head master of a middle school



got the money of the informant and her daughter deposited in the company and despite repeated request and even after the amount having being matured, the same is not being returned.

5. The learned counsel for the petitioner submits that the petitioner has falsely been implicated and admittedly, the petitioner acted as an agent and the amount is said to be deposited with the welfare company, which is involved in building and estates. It is submitted that it is not the case of the informant that it is the petitioner who have ushered the money and hence, it is not the petitioner who is liable to return the amount rather the company is liable for returning the matured amount. The learned counsel for the petitioner has brought to the knowledge of this Court the letter issued by this company wherein, it has undertaken that the liability of returning the money is upon them and has also requested that no case be lodged against the marketing agents of the company. It has further been submitted that the petitioner is not the ultimate beneficiary and has no concern as far as the returning of the matured amount is concerned and, therefore, implicating only the petitioner in the present case is also wrong, as the company has not been made an accused by the informant. It has lastly been submitted that the petitioner carries clean antecedent.



6. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

7. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VIII, Bhojpur at Ara in connection with Piro P.S. Case No. 196 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain physically present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) If the petitioner, in future, is



found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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