

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29573 of 2026**

Arising Out of PS. Case No.-584 Year-2025 Thana- DAUDNAGAR District- Aurangabad

Gorakh Kumar Son of Late Bhola Saw R/O Vill.- Patna Fatak, Afim Kothi,  
P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Ankita Kumari, Advocate  
For the State : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      06-05-2026                                      Heard Ms. Ankita Kumari, learned counsel for  
the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Daudnagar P.S. Case No. 584 of 2025 registered for the offence under Sections 316(5) and 3(5) of Bharatiya Nyaya Sanhita, lodged on 09.09.2025 by the informant, Shubhash Ram.

3. As per the prosecution story, the informant alleged that out of purchased wheat (14544.27 Quintals), 9744.66 Quintals was to be supplied to the BSFC, Aurangabad but till 10.08.2025, only 5510 Quintals was supplied and thus the Manager and the Chairman have misappropriated Rs.1,49,27,802/-. This led to the F.I.R.

4. Learned counsel for the petitioner submits that



even waiting for their response and or asking them to clarify, the F.I.R. The fact remains that they have already paid Rs.22,50,000/- and further are ready to pay back the entire amount though sometime be given so that the entire amount is paid.

5. Learned APP opposes the prayer submitting that when the petitioner is ready to pay the entire amount and in continuation has already paid Rs.22,50,000/-, do not have criminal antecedent, relief can be extended.

6. Taking into account the submissions of the parties as also that the petitioner is ready to pay the amount, the allegation is there, he will be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of the rest over amount of the Rs.1,26,77,802/- in the following manner:

*“(i) Rs.26,77,802/- at the time of execution of bail bond;*

*(ii) Rs. 25,00,000/- to be paid in four installment (Total Rs.1,26,77,802/-) by 15<sup>th</sup> June, 2026, 15<sup>th</sup> July, 2026, 14<sup>th</sup> August, 2026 and 15<sup>th</sup> September, 2026.*

*(iii) failure to pay the amount as*



*undertaken, the State shall be free to take steps  
for cancellation of bail bond.”*

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge, 5<sup>th</sup> Aurangabad, in connection with Daudnagar P.S. Case No. 584 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any  
criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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