

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31149 of 2026

Arising Out of PS. Case No.-24 Year-2020 Thana- KANTI District- Muzaffarpur

Jawahar Lal Shah @ Jawahar Lal Sah @ Jawahar Sah S/o Munga Lal Shah @ Mungalal Sah Presently Residing at Kolabari, Opposite Bharat Gas Godown Debidanga Bazar Champasari, P.S.- Pradhan Nagar, District - Darjeeling, (West Bengal), Permanent R/o - Village- Damodarpur Mahesh Bhagat in front of Banwari Lal College, P.S.-Katti, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-07-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kanti P.S. Case No. 24 of 2020 instituted for the offence under Sections 406 and 420 of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner, being the main functionary of Mahua Cooperative Society Ltd., allegedly collected public deposits through various investment schemes but failed to repay the matured amounts to investors. It is further alleged that the society closed its office without prior intimation, thereby committing criminal breach of trust and cheating its depositors.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.11.2025. Petitioner bears eight (8) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The learned counsel for the petitioner submitted that the petitioner was merely an employee and Chief Executive Officer of the Mahua Cooperative Society, having joined the organization after its establishment, and was neither its founder nor promoter. It is submitted that he had only a limited executive role, with no involvement in the formation or management of the cooperative's affairs, and that the investigation has revealed no evidence linking him to the alleged offences. It was further submitted that the petitioner has already been granted bail in the connected Enforcement Directorate case vide order dated 19.03.2026, passed in Cr. Misc. No. 4088 of 2026. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances



of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kanti P.S. Case No. 24 of 2020, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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