

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35886 of 2026

Arising Out of PS. Case No.-792 Year-2025 Thana- SHASTRINAGAR District- Patna

Deepak Kumar S/o Shivjatan Sharma R/o Mohalla - Gram Chitab Kala,
Bahelia Bigha, P.S - Sherghati, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35879 of 2026

Arising Out of PS. Case No.-792 Year-2025 Thana- SHASTRINAGAR District- Patna

Chandradev Sharma S/o Late Sukhlal Sharma @ Sukhlal Mistri R/o Mohalla
- Uchla (Uchala), P.O and P.S - Roshanganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35886 of 2026)

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

For the Informant : Mr. Shubhankar Prabhakar, Advocate

(In CRIMINAL MISCELLANEOUS No. 35879 of 2026)

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

For the Informant : Mr. Shubhankar Prabhakar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 23-07-2026 Heard Mr. Vijay Kumar, learned Advocate for the

petitioners and Mr. Satyendra Narayan Singh, learned

Additional Public Prosecutor for the State whereas the

informant is represented through Mr. Shubhankar Prabhakar,

learned Advocate.

2. Considering the fact that both the cases have arisen

in connection with the same P.S. Case and, as such, with the



consent of the parties, both the cases are being heard together and disposed off by the common order.

3. The petitioners apprehend their arrest in connection with Shastrinagar P.S. Case No. 792 of 2025, registered for the offenses punishable under Sections 318(4), 316(5) and 61(2) of the B.N.S.

4. The allegation against the petitioners is that they were involved in management of financial institution, which was being run in the name of Lok Kalyan Nidhi Limited. On assurance, the informant and others deposited their hard earned money, despite the maturity they failed to return the amount. For the last two years, they were moving around the offices for the payment of their deposited amount but to no avail.

5. Learned Advocate for the petitioners submitted that there is no whisper in the FIR as to on which date and what amount has been deposited in the financial company. Moreover, the entire case relates to the Patna Branch, whereas both the petitioners have been working in the Branch attached with the financial institution at Sherghati, Gaya. The FIR is also bad as the financial institution has not been arrayed as the accused; all the more there is omnibus allegation against all the Director/ Associate Directors of the institution without attributing their



specific role in the management of the institution. It has not been disclosed that as to whether the petitioners have persuaded to deposit the amount or there is any money transaction in between the informant and the petitioners. The petitioners are men of fair antecedent. The petitioner in Cr. Misc. 35879 of 2026 is a person having 60% of disability due to paralysis and unable to move.

6. On the other hand, learned Advocate for the State and the informant opposed the prayer for pre arrest bail application and submitted that besides the fact that the process under Section 82 of CrPC has been issued, one of the co-accused person facing identical allegation has approached this Court in Cr. Misc. No. 37120 of 2026 for grant of his anticipatory bail, however, his prayer came to be rejected vide order dated 22.06.2026, the copy of which is placed on record. It is further contended that in fact the petitioners are the persons, who were running institution and they are wholly responsible for causing defalcation of the public money.

7. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the process under Section 82 of the CrPC has already been issued, besides the prayer of one of the co-accused



persons facing identical allegation has been turned down by a Coordinate Bench of this Court in Cr. Misc. 37120 of 2026, this Court is not acceded to the prayer for grant of anticipatory bail to the petitioners. Accordingly, the prayer for grant of anticipatory bail to the petitioners stands rejected.

8. However, it is made clear that in case the petitioner in Cr. Misc. 35879 of 2026 shall surrender before the court below, preferably within a period of four weeks from today along with disability certificate, his prayer for bail shall be considered by the court below on the same day without being prejudiced by the order of this Court, keeping in view the critical health condition of the aforesaid petitioner.

9. If the petitioner would not be in a position to surrender, in such circumstances the police shall visit the house of the petitioner in Cr. Misc. No 35879 of 2026 and submit a report to the court concerned regarding his physical condition.

(Harish Kumar, J)

siddharth/-

U		T	
---	--	---	--

