IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40066 of 2026

CNR No. BRHC010567172026

Arising Out of PS. Case No.-327 Year-2026 Thana- GOPALGANJ TOWN District-Gopalganj

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Mithilesh kumar @ Mithlesh kumar S/O Rajendra Ram @ Santosh Ram R/O Village- Mathurapur(Kalyanpur),PS- Barauli(Madhopur O.P.), District-Gopalganj

... ... Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Kumar S/o- Hiralal, Legal Manager, V2 Retail Limited, Thawe Road, P.S.- Nagar, District- Gopalganj

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP
Mr. Puneet Siddhartha, Adv.for OP-2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 28-10-2026 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 303(2) of the B.N.S., 2023.

3. The prosecution case, in brief, is that during an audit of V2 Retail Limited Gopalganj store, serious irregularities were detected in the stock and financial records. It is alleged that petitioner, who was working at this store, collected cash from customers but deposited lesser amounts into the company's

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account through UPI and misappropriated the remaining amount for personal use, causing loss of Rs. 52,51,719.00. Out of this amount, Rs. 18,11,160.00 was recovered from petitioner's bank account and Rs. 34,40,559.00 remained to be recovered from the petitioner. Though, petitioner issued five cheques towards recovery, but all were dishonoured due to stop-payment instructions, while four other cheques remained blank. Hence, this F.I.R. was lodged against petitioner.

4. Learned counsel for the petitioner submits that it was a bona-fide mistake on the part of the petitioner and as such, petitioner is ready to refund the alleged remaining amount of Rs. 34,40,559.00 in easy installments, for which, learned counsel for the opposite party no. 2 does not oppose. Learned counsel for the petitioner also requests for removing hurdle from his bank account so that he may be able to make payment of aforesaid amount.

5. In the facts and circumstances of the case, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with

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Gopalganj Town P.S. Case No. 327 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S. with further following conditions:

> "(A) At the time of furnishing bail-bond, the petitioner shall refund **Rs. 10,40,559/-** (ten lakhs forty thousand five hundred fifty nine) through Bank Draft to V2 Store, Gopalganj.
>
> (B) Rest amount i.e. **Rs. 24,00,000/-** (twenty four lakhs) shall be refunded to the opposite party no. 2 through Bank Draft in 6 (six) installments within a period of twelve months from the date of furnishing bail-bond.
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> (C) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner."

6. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail of petitioner without going into the merit of the case.

(Prabhat Kumar Singh, J)

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