

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50066 of 2025

Arising Out of PS. Case No.-301 Year-2024 Thana- BARARI District- Katihar

1. Pradeep Kumar Yadav S/O Bir Narayan Yadav R/O Village- Husaina Panchayat Uttari Bhandartal, PS- Barari, District- Katihar
2. Nitesh Kumar Yadav @ Nitesh S/O Bhupendra Yadav @ Bhupendra Prasad Yadav R/O Village- Husaina Panchayat Uttari Bhandartal, PS- Barari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 21-01-2026 Heard the parties.

2. The petitioners apprehend their arrest in connection with Barari P.S. Case No. 301 of 2024, registered for the offences punishable under Sections 316(2), 318(4) of the BNS.

3. As per the prosecution case, the petitioners, who were holding the post of President and Secretary, respectively of Primary Agricultural Credit Society (PACS), *Uttari Bhandantal*, had taken loan of Rs.18,64,656/- for purchase of 84.450 metric ton paddy, but they have deposited only Rs.8,90,000/- and the rest of the remaining amount to the tune of Rs.9,74,656/- has been misappropriated.

4.Learned Advocate for the petitioners submitted that



for recovery of the due amount, a certificate case has already been instituted by the Katihar District Central Cooperative Bank Limited, Katihar, which is pending consideration. Moreover, the petitioners have always been ready to pay the rest of the amount but on account of financial crunch they are unable to deposit in one lumpsum. The petitioners are men of fair antecedent. Learned Advocate for the petitioners, on instruction, submits that the petitioners will deposit the rest of the amount to the tune of Rs.9,74,656/- within three proper installments of three months each.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is specific accusation of misappropriation of huge amount against the petitioners.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the undertaking given before this Court by the petitioners that they are ready to deposit the rest of the due amount to the tune of Rs.9,74,656/- in three proper installments of three months each, let the petitioners abovenamed be released on bail, in the event of their 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, upon



furnishing bail bonds of Rs.20,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Katihar in connection with Barari P.S. Case No. 301 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions:

(i) Any defiance of the undertaking with respect to deposition of the rest of the due amount to the tune of Rs.9,74,656/- in three proper installments shall entail cancellation of the bail bonds of the petitioners, and

(ii) that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Anjani/-

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

