

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68975 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- Bhalpatti District- Darbhanga

Sahdeo Ray Son of LakhanPati Ray son of Lakhan Pati Ray, Resident of Village -Manoripur,P.S.- Kusheshwarasthan, Dist. -Darbhanga, Bihar, Pin - 848213.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Bhalpatti P.S. Case No. 12 of 2024 registered for the offences under Sections 409 and 34 of the I.P.C.

3. As per the prosecution story, the allegation upon the petitioner is that he in connivance with his son, has misappropriated the amount of Rs. 18,25,000/-.

4. Learned counsel for the petitioner submits that the petitioner has no concern whatsoever with the said misappropriation and in fact, he admits to the fact that it was his son who has forged his signature and misappropriated the said amount. However, out of the said amount, Rs. 12,75,000/- has



been paid back till date in view of the order passed by a co-ordinate Bench in the bail application preferred by the son of the petitioner. Learned counsel for the petitioner has produced the copy of the said bail order dated 10.09.2025 passed in Criminal Miscellaneous No. 41883 of 2025 and from perusal of the same, it seems that the learned counsel for the petitioner had submitted that the rest of the amount would be deposited within six months in six equal installments and therefore the petitioner therein, namely, Arvind Kumar Ray, son of the present petitioner, was released on provisional bail till the entire amount is deposited with the court below. He further submits that the petitioner himself is a victim of the misdeeds of his son, however, he is also arranging money and to enable him to repay the entire amount he needs protection.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. In view of the above, let the petitioner be released on **provisional bail** in connection with Bhalpatti P.S. Case No. 12 of 2024, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Court below where the case is pending/successor court subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the condition that if the entire amount is deposited within the period specified in the aforesaid order, the provisional bail granted to the petitioner shall be confirmed and with further conditions that:

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the



above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application is disposed of.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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