

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68414 of 2025**

Arising Out of PS. Case No.-265 Year-2025 Thana- KOTWALI District- Patna

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Ramtapasasya Kumar Son of Bhola Singh R/O Vill.- Harsidhi, P.S.- Gai Ghat,  
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      11-02-2026                      Heard Mr.Dhananjay Kumar Tiwary, learned counsel  
  
for the petitioner and Mr. Jitendra Kumar Singh, learned counsel  
  
for the State.

2. The petitioner is apprehending arrest in connection  
with Kotwali P.S. Case No. 265 of 2025 instituted under  
Sections 316(2), 318(2) of the Bharatiya Nyay Sanhita, 2023  
lodged on 02.05.2025 by the informant,Rajesh Kumar Maharaj.

3. As per the prosecution story, the informant alleged  
that the petitioner who was an ex-employee serving as Surveyor  
in the Company misappropriated Rs. 8,40,852/- against 33  
vehicles by putting forward forged document in collusion with  
other conspirators. This led to the FIR.

4. Learned counsel for the petitioner at the outset  
submits that under misunderstanding, the FIR has been lodged.



The amount directly goes to the account. He has no role to play and further has no criminal antecedent. Last submission is that he being the employee of the said Company and to show his bonafide, is ready to pay the amount by way of Demand Draft to the Go Digit Insurance Company, Patna subject to the final outcome of the present case in the following manner, if the relief is extended to him:

*(i) Rs.2,00,000/- at the time of executing the bail bonds;*

*(ii) Rs.1,00,000/- each (totalling Rs.2,00,000/-) by 10<sup>th</sup> of March, 2026 and 10<sup>th</sup> April, 2026;*

*(iii) Rs.50,000/- each (totalling Rs.4,00,000/-) by 10<sup>th</sup> of every month from May, June, July, August, September, October, November and December, 2026;*

*(iv) Rs.40,852/- by 10<sup>th</sup> January, 2027;*

5. The further submission is that failure by the petitioner to abide by it, the Company shall be free to take steps for cancellation of bail bonds.

6. Learned APP opposes the prayer submitting that



despite being an employee of that Company, he siphoned of the money and as such deserves no relief.

6. Considering the submissions of the parties, FIR is there, this Court has taken note of the fact that the petitioner has no criminal antecedent, a bonafide intent has been shown by him to make the payment as recorded above to the Company, subject to the outcome of the present case, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to the undertaking that the petitioner himself as given in the aforesaid paragraph-04 and its sub-paras.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 265 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;



(ii) the petitioner shall make himself available before the Investigating Officer as and when required for smooth conclusion of the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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