

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72752 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- RUPASPUR District- Patna

Amrit Kumar @ Nihal Kumar @ Amit Kumar Son of Sudhir Kumar Resident
of Village - Sabalpur, Baban Toli, P.S. - Sonpur, District - Saran(Chapra).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 09-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 318 (4), 338, 336 (3), 316 (2) and 3 (5) of the BNSS, 2023.

3. The case of the prosecution is that the petitioner was an employee of L & T Finance Company and his duty was to advance loan for agriculture appliances. It is alleged that he advanced loans to 41 persons and in connivance with them, defalcated a total sum of Rs. 2,68,00,139/-. From perusal of the First Information Report, it appears that the petitioner received a sum of Rs. 2,46,980/- from one Rakesh Kumar Gope and Rs. 33,400/- from Nishad Automobiles.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that though the amounts credited to the petitioner's account were received as he assisted Rakesh Kumar Gope in purchasing a Gir Cow. Moreover, the petitioner is languishing in judicial custody since 06.06.2025 having no criminal antecedent.

5. Learned counsel for the L & T Company has vehemently opposed the prayer of regular bail, submitting that the petitioner, in connivance with others, cheated the company to the tune of more than two crores of rupees and that the petitioner is the kingpin of the offence.

6. After some submission, learned counsel for the petitioner has submitted that although there is an allegation of defalcation of more than two crores of rupees but the amount actually credited in the petitioner's account is Rs. 2 lacs and odd. Petitioner is ready and willing to return the said amount.

7. Learned counsel for the L & T company has also raised no objection to the same.

8. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on provisional bail. Accordingly, the above named petitioner is directed to be released on provisional bail in connection with



Rupaspur P.S. Case No. 91 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Danapur, Patna, subject to the condition that petitioner shall deposit Rs. 2,46,980/- and Rs. 33,400/- with the company withing six months. In case of failure to comply with the aforesaid condition, the bail granted shall be liable to be cancelled. Upon the fulfillment of the condition, the trial Court is directed to confirm the provision bail.

(Ashok Kumar Pandey, J)

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