

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85584 of 2025

Arising Out of PS. Case No.-558 Year-2025 Thana- HARSIDHI District- East Champaran

Sri Sameer @ Sameer S/O Shambhu Prasad Gupta @ Shambhu Prasad
Resident of village- Rani chhapra, P.S.- Harsiddhi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate Mr. Sharad Kumar Verma, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-01-2026 Heard Mr. Abhishek Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Pramod Kumar
Pandey, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 316(5) and
318(4) of the B.N.S..

3. As per prosecution case, this petitioner, who was
Chairman of Harpur Rai PACS under the Harsiddhi Block,
embezzled 2,413.75 quintal of paddy amounting to Rs.
56,11,968.75/-.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. Petitioner is simply a victim of false



implication in this case due to oblique and ulterior motive. As a matter of fact, the petitioner, being the Chairman of Harpur Rai PACS, purchased total 7903 quintal of paddy and 3770 quintal of C.M.R. was sent to mill and rest 1641.35 quintal C.M.R. (2413.75 quintal paddy) was to be sent on 10.08.2025, however, on 07.08.2025, the present F.I.R. was lodged. It is further submitted that after lodging of the present F.I.R., petitioner has already sent 422.25 quintal of C.M.R. to Shiv Shakti Modern Rice Mills Pvt. Ltd. amounting to Rs. 9,74,553/- and has deposited Rs. 6,10,000/- in the Motihari Central Co-operative Bank Ltd., Motihari. It is further submitted that at this stage, without admitting his guilt, petitioner is ready to deposit the rest of the alleged defalcated amount, amounting to Rs. 40,27,415.75/-, in easy installments. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, clean antecedents and aforesaid undertaking of the petitioner, provisional bail for a period of one year is granted to the



petitioner from the date of furnishing bail bond.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on provisional bail for a period of one year on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-F.C., East Champaran, Motihari in connection with Harsidhi P.S. Case No. 558 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S., along with the following terms and conditions:

“A. At the time of furnishing bail-bond Rs. 5,00,000/- (Rupees five lakh) shall be deposited through cash in the Motihari Central Co-operative Bank Ltd., Motihari and a receipt should be produced.

B. Rest amount i.e. Rs. 35,27,416/- (Rupees thirty five lakh twenty seven thousand four hundred and sixteen) shall be deposited in the Motihari Central Co-operative Bank Ltd., Motihari in 12 equal monthly installments amounting to Rs. 2,93,951/- (Rupees two lakh ninety three thousand nine hundred one) each within a period of one year from the date of furnishing bail-bond.

C. The aforesaid payment shall be subject to the final outcome of the case.

D. If petitioner fails to comply the aforesaid direction of this Court, the learned Trial Court is free to cancel the bail-bond of the petitioner.

E. The learned trial court shall confirm the



provisional bail after being satisfied that the petitioner has paid the entire amount, as mentioned here-in-above.”

8. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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