

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90116 of 2025

Arising Out of PS. Case No.-198 Year-2025 Thana- GAYA KOTWALI District- Gaya

Alok Kumar Son of Late Satya Prakash Resident of village- Nagar Patna,
Punpun, Patna and At present at Murarpur, Kali Asthan Tauquid Ahmad Lane
Gaya ji, Ps- Kotwali, Dist- Gaya ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kotwali P.S. Case No.198 of 2025, dated 12.04.2025 registered for the offence punishable under Sections 316(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case, in brief, is that the petitioner and two co-accused persons, namely, Pankaj Kumar and Mahesh Prasad, were working as delivery boys with Identify Plus Delivery Service Pvt. Ltd., Bihar and Jharkhand. It is alleged that they misappropriated Rs. 1,95,301/- and 672 parcels worth Rs. 1,84,052/-, i.e., a total sum of Rs. 3,79,353/-, from the company.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner was working as a delivery boy in the said company and, in the course of his employment, had taken a personal loan of Rs. 44,500/- from the company, which he is ready to repay. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the submissions made on behalf of the petitioner, this Court directs the petitioner to prepare a demand draft of the amount in question, i.e., Rs. 44,500/-, in favour of the said company, and the same shall be paid to the authorised office-bearer of the company before furnishing the bail bonds.

7. In view of the above, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gayaji/Successor Court in connection with Kotwali P.S. Case No.198 of 2025, subject to the conditions as laid down under Section 482(2) of



the BNSS as well as the following conditions:

(i) The learned court below shall accept the bail bonds of the petitioner only after verifying that the amount in question has been refunded to the concerned company.

(ii) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(iii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

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

(Ajit Kumar, J)

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