

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33366 of 2026

Arising Out of PS. Case No.-292 Year-2025 Thana- SAMASTIPUR District- Samastipur

Prabhat Kumar Roy @ Tinku Son of Manmohan Roy Resident of Village-
Desari, Ward No. 16, Police Station- Bibhutipur, District- Samastipur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raja Kumar Son of Shatrudhan Prasad Bhagat Resident of village-
Madhepura Ps- Chowk, Ward No. 16, District- Madhepura, Bihar (Director
Maa Ambe Retail Pvt. Ltd./ R Bazaar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nishant Choudhary, Advocate
For the Informant	:	Mr. Dilip Kumar Ray, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection
with Samastipur Nagar(Town) P.S. Case No. 292 of 2025 lodged
on 15.11.2025, for the offence punishable under Sections
316(2), 338 & 336(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against
four named accused persons including the present petitioner.

4. Prosecution story, in short, is that as alleged in the
written report of the informant, Raja Kumar (Director of Maa
Ambe Retail Pvt. Ltd./R BAZAAR), is that his company
inaugurated a new furniture and electronics showroom at Rosera



Bypass Road, Magardahi Ghat, Samastipur, on 15.10.2024. Interview was conducted at the company's head office in Purnia, the petitioner, Prabhat Kumar Roy @ Tinku, was officially appointed as the Manager of the newly opened showroom at Samastipur. The informant alleges that the petitioner, while functioning in the capacity of Manager, committed embezzlement and misappropriated company funds as well as showroom goods to the tune of Rs. 34,00,000/- (Thirty Four Lakhs). It is further alleged that upon discovering this massive financial irregularity, when the company officials visited the petitioner's native house, they were ill treated and abused. It is further alleged that family members refused to disclose when the petitioner will return and threatened the informant's representatives.

5. Learned counsel for the petitioner submits that petitioner was merely the manager of the showroom and nothing to do with the embezzlement of the company. It is further submitted that the antecedent of the petitioner is clean and the entire story is concocted and fabricated. It is submitted that only when the petitioner refused to join the service of the informant, the entire story has been fabricated.

6. Learned counsel for the informant submits that



there is huge embezzlement of Rs. 34,00,000/- (Thirty Four Lakhs) and the petitioner was involved in the embezzlement. It was further submitted that the petitioner has collected cash from the customers but has not deposited the same into the company's account.

7. Learned APP for the State has vehemently opposed the prayer for grant of bail of the petitioner.

8. In the present facts and circumstances of this case and taking into account the fact that no cogent material has come against the petitioner in the case diary, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of learned CJM, Samastipur in connection with Samastipur Nagar(Town) P.S. Case No. 292 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 and also subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and also co-operate in the process of trial.



(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

Bipin/-

U		T	
---	--	---	--

