

**In the Court of Jata Shankar Mishra, District & Addl. Sessions Judge-XVI, East
Champaran, Motihari
Regular Bail Petition No. 898 of 2026
[Upendra Kumar vs. State of Bihar]
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**In the Court of Additional Sessions Judge-XVI,
East Champaran, Motihari**

Regular Bail Petition No. 898/2026

**1. Upendra Kumar, Age- 27 years, S/o- Kanhiya Yadav
R/o- Durgawaliya, PS- Shikarpur, District- East Champaran
..... Petitioner**

Versus

State of Bihar O.P.

**Counsel for the Petitioner :- Sri Akhilesh Kumar, Advocate.
Counsel for the State :- Sri Khooblal Prasad, P.P.**

ORDER

06.06.2026

Regular Bail petition is pressed today by the Ld. Akhilesh Kumar on behalf of the above named accused/petitioner namely 1. Upendra Kumar, who is in custody since 23.02.2026 in connection with Ramgadhwa P.S. case no. 85/2024, u/s 406, 409 and 420 of IPC. Copy of the petition has already been served to learned A.P.P.

Ld. Counsel appearing on behalf of the accused/petitioner submits that no other regular or anticipatory bail petition earlier either in this Ld. Court or before the Hon'ble High Court, Patna. It is further submitted that the petitioner has no criminal antecedent. It is further stated that the petitioner is in continuous judicial custody since 23.02.2026 for no fault. It is further stated that the petitioner is quite innocent and has not connected any offence. Petitioner is ready and willing to abide by all the conditions imposed by this Ld. court and to ready to furnish adequate bail bond and sureties to its satisfaction.

The case of prosecution's story is in brief is that on 27.03.2024, the accused who was working as an Assistant Branch Manager, took out Rs. 2,01,510/- from the locker for deposit purposes but deposited only Rs. 50,000/- and kept the remaining amount with himself. He also left the branch after taking advance amounts of three different centers totaling Rs. 2,00,000/- and switched off his mobile phone. Thereafter, the informant sent another Branch Manager to his house, but the family members informed that he was not at home.

Ld. A.P.P. opposed the same.

Heard and perused the record. From the perusal of the case record, it transpires this petitioners are named accused in the F.I.R. the allegation against the petitioner is that accused/petitioner namely

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Upendra Kumar misappropriated branch money by depositing only part of the amount taken from the locker, kept the remaining cash with himself, took advance money from different centers, and absconded after switching off his mobile phone. Para-4 of the case diary, restatement of informant supported the case of prosecution. Para- 7, 8 and 9 of the case diary statement of witnesses has supported the case of prosecution. In para 18 of the case diary, the supervision report, police found case true against this petitioner. In Para-21 of the case diary, it is mentioned that petitioner has no any criminal antecedent. On perusal of record it reflects that an anticipatory bail of this petitioner has rejected by Hon'ble Patna High Court, vide Cri Misc. No. 44510 of 2025 dated on 21.01.2026 and ABP No. 3932 of 2024 by Ld. Addl. District & Sessions Judge-14, Motihari on 11.11.2024. The maximum punishment in this case is life imprisonment. Petitioner is in judicial custody since 23.2.2026. Although, charge-sheet is filed u/s- 406, 409 and 420 of IPC. The offences are very serious in nature. It seems that the petitioner has active involvement in the commission of offence in the present case.

Considering the above mentioned facts and circumstance of the case, nature of allegation, serious of offence in which FIR has been registered, material available on the record. I am not inclined to grant bail to the petitioner. Hence, the bail petition of the petitioner **Upendra Kumar** is hereby, rejected.

O/C is directed to send the copy of the order along with LCR, if any,
to the ld. trial court forthwith.

Dictated

sd/-

**(Jata Shankar Mishra)
District & Addl. Sessions Judge-XVI.
East Champanan, Motihari.**