

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 476 of 2026

(Arising out of Kateya P.S. Case No. 130 of 2024, registered U/S 409/34 of the I.P.C.)

In the matter of :-

Name of the petitioner	: Surendra Ram.
F.I.R. U/S	: <u>409/34 of the I.P.C.</u>
Charge-Sheet U/S	: not submitted.
Counsel for the Petitioner	: Shri Sanjay Ojha, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

07-05-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 23-04-2026, in connection with Kateya P.S. Case No. 130 of 2024, registered U/S 409/34 of the I.P.C., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on the basis of written application of the informant Anil Kumar, who happens to be the Manager of Nagar Panchayat Packs Ltd. Kateya, Kateya P.S. Case No. 130 of 2024 has been lodged against the petitioner and others. It is inter alia alleged in the F.I.R. that according to resolution passed in Resolution No. 05 dated 15-12-2023, petitioner has allegedly defalcated the loan amount of Rs. 9,6,386/- and for the recovery of said amount, several times, notices were issued, despite it the said loan amount was not deposited by the petitioner.

3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in this case due to village politics. It is further submitted that petitioner has got no criminal antecedent. It is further submitted that Sec. 409/34 of the I.P.C. is not made out against the petitioner. It is further submitted that petitioner has deposited the said amount and there is no outstanding amount against him and the deposition slip and no dues certificate are submitted. It is further submitted that co-accused persons have been granted anticipatory bail in A.B.P. No. 2868/2024, A.B.P. No. 2864/2024 and A.B.P. No. 2628/2024. It is further submitted that informant has filed false case for making pressure and petitioner bears clean past. It is lastly submitted that petitioner is in custody since 23-04-2026. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the prayer for bail of the petitioner.

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5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R as well as case diary, it transpires that petitioner is named in the F.I.R. against whom there is allegation that he has allegedly defalcated loan amount of Rs. 9,3,386/-, which was taken by the petitioner from Nagar Panchayat Packs Ltd. Kateya. From perusal of the record, it appears that one photo copy of receipt of alleged loan amount and N.O.C., which has been issued by the informant of Nagar Panchayat Packs Ltd. are filed, which shows that petitioner has deposited the alleged loan amount in Nagar Panchayat Packs Ltd. It further appears that 17 co-accused persons have been granted bail by ld. D.A.J.-II, Gopalganj in A.B.P. No. 2868/2024, A.B.P. No.1947/2024, A.B.P. No.2141/2024, A.B.P. No.2200/2024, A.B.P. No.2159/2024, A.B.P. No.1932/2024, A.B.P. No.2116/2024, A.B.P. No.2144/2024, A.B.P. No.2331/2024, A.B.P. No.2228/2024, A.B.P. No.2340/2024 and A.B.P. No.2341/2024 and three co-accused persons have been granted bail by ld. D.A.J.-II, Gopalganj in A.B.P. No.1177/2025, A.B.P. No.2864/2025 and A.B.P. No.1386/2025 and the case of the petitioner is of similar footing. There is no mention of any criminal antecedent of the petitioner in the case diary. The petitioner appears to be in custody since 23-04-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going into the merit of this case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the ld. Court below **subject to conditions that one of the bailors shall be close relative of the petitioner and one shall be local with further condition that petitioner will file an undertaking that he will cooperate in the investigation or trial and he will not temper with the evidence.**

Let a copy of this order along with lower court record be sent to the ld. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.