

[2026:JHHC:4051]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.680 of 2026

Amjad Hussain @ Md. Amjad Hussain, aged about 38 years, son
of Late Sattar Ali, resident of Government Quarters of
Department of Health, Near DC Office, P.O. Ramgarh, P.S.
Ramgarh, District Ramgarh (Jharkhand)

.... Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Indrajit Sinha, Advocate Mr. Ajay Kr. Sah, Advocate Mr. Rishav Kumar, Advocate
For the State	: Ms. Priya Shrestha, Spl. P.P (Through V.C.)

Order No.02 Dated-13-02-2026

Heard the parties.

The petitioner has been made accused in connection with Ramgarh P.S.
Case No.254 of 2024 registered under Section 318 (4), 316 (5), 338, 336 (3), 336
(4), 340 (2), 3 (5) of the B.N.S., 2023.

This is the third journey of the petitioner with the prayer for regular
bail as earlier the prayer for bail of the petitioner was rejected on merit by
this Court vide order dated 10.10.2025 passed in B.A. No.3529 of 2025 and
another application with prayer for regular bail was withdrawn by the
petitioner.

Learned counsel for the petitioner submits that the fresh ground is that
the petitioner is ready and willing to deposit amount lying in the frozen bank
account. In support of his contention, learned counsel for the petitioner relies
upon the judgment of the Hon'ble Supreme Court of India in the case of

Ramesh Kumar vs. The State of NCT of Delhi reported in **2023 LiveLaw (SC) 496** and submits that therein the Hon'ble Supreme Court of India has observed that in exceptional cases such as involving misappropriating of public money, if the accused volunteers to account for the whole or any part of the public money allegedly misappropriated by him, it would be open to the concerned court to consider whether in the large public interest the money misappropriated should be allowed to be deposited before the application for anticipatory bail/bail is taken up for final consideration. Hence it is submitted that the petitioner be released on bail.

Learned Spl. P.P. appearing for the State vehemently opposes the prayer for bail and submits that the facts of this case are different from the facts of the case of **Ramesh Kumar vs. The State of NCT of Delhi (supra)** as in this case, the petitioner is not voluntarily ready to deposit his own money but he is making a condition that the money kept in the frozen bank account which otherwise also, at present cannot be utilized by him, can be deposited by him. It is further submitted that as the prayer for bail of the petitioner has already been rejected on merit there is no justifiable reason to admit the petitioner to bail. It is then submitted that considering the serious nature of allegation against the petitioner of embezzling huge amount of Government money to the tune of Rs.90,26,840/-, there is every chance of the petitioner being absconding and tampering with the evidence if released on bail, hence, the petitioner ought not be released on bail at this stage.

Having heard the rival submissions made at the Bar and after carefully going through the materials available in the record, it is pertinent to mention here that it is a settled principle of law that deposit of a part of embezzled money cannot be a ground for consideration of bail. There is no exception in this case. The petitioner is not even voluntarily ready to deposit his own money rather he says that he will deposit the money over which has no control as of now.

Considering the serious and direct allegation against the petitioner of embezzling huge amount of Government money to the tune of Rs.90,26,840/- and the chance of his absconding and tampering with evidence if released on bail, this Court is of the considered view that this is not a fit case where the above-named petitioner be released on bail. Accordingly, the prayer for bail of

the above-named petitioner is rejected for the same reasons as mentioned in the detailed order dated 10.10.2025 passed in B.A. No.3529 of 2025.

(Anil Kumar Choudhary, J.)

Dated- 13.02.2026-Animesh/