

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75622 of 2019

Arising Out of PS. Case No.-21 Year-2017 Thana- PARASI District- Jehanabad

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Jitendra Singh Son of Dukhan Singh Resident of Village- Phakharpur, P.S.
and District- Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 17-06-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State via video

conferencing.

The petitioner seeks pre-arrest bail in connection with
Parasi P. S. Case No.21 of 2017 registered under Section 406/34
of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that the ingredients of Section 406 of the Indian Penal
Code are not attracted against the petitioner as it would be
evident from perusal of the FIR that there is no entrustment of
any property to the petitioner. In absence of any entrustment of
any property, there cannot be an offence of criminal breach of
trust. It is further contended that the instant case has been
instituted with oblique motive.



Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of offence and the submissions made above, in the event of arrest or surrender before the court below, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Arwal in Parasi P. S. Case No.21 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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