

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9217 of 2022**

Arising Out of PS. Case No.-563 Year-2016 Thana- BEGUSARAI TOWN District- Begusarai

Mukesh Kumar Son of Ajaykant Jha Resident of Village- Bakhadda, P.O.-  
Badalpura, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pintu Kumar Patel

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      08-06-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks  
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Town P.S.  
Begusarai Case No. 563 of 2016 arising out of G.R. No. 3912  
of 2016 registered for the offence under Sections 406 and 409 of  
the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 31.03.2021.

The allegation against the petitioner is to commit  
criminal breach of trust being a Grade-IV employee of  
Begusarai Treasury and while committing so, the bill of  
Rs.2,09,280/- (Rupees Two Lakh Nine Thousand Two Hundred  
Eighty) has not been submitted after removal of defect.

Learned counsel appearing on behalf of the petitioner



submitted that the present F.I.R. has been lodged after a delay of four days. It has also been submitted that from bare perusal of the F.I.R. itself, it appears that none of the ingredients of criminal breach of trust is attracted. While arguing over the matter, it has further been submitted that the present case should not be confused with Begusarai Town P.S. Case No. 594 of 2013, in which petitioner is on bail granted by learned Co-ordinate Bench of this Hon'ble Court vide order dated 31.03.2022 passed in Cr. Misc. No. 45696 of 2021.

Learned APP appearing on behalf of the State fairly conceded that there is delay of four days in lodging of the F.I.R.

Considering the facts and circumstances as mentioned above and considering the nature of accusation coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Town P.S. Begusarai Case No. 563 of 2016 arising out of G.R. No. 3912 of 2016 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 1<sup>st</sup> Class, Begusarai, subject to the following conditions:

“(i) That accused/petitioner shall  
not involve in the similar nature of offence



till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

**(Chandra Shekhar Jha, J)**

Ankit/-

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