

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58716 of 2023

Arising Out of PS. Case No.-124 Year-2021 Thana- SASARAM NAGAR District- Rohtas

Durgesh Kumar Sinha S/O Late Ramakant Prasad, Resident Of Civil Lines,
P.O. And P.S.- Sasaram, Distt.- Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Vardhan Narayan, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Sasaram Town P. S. Case No. 124 of 2021 registered on 19.02.2021 for the offences punishable under Section 406 of the Indian Penal Code.

3. According to the prosecution, F.I.R. has been lodged by Block Education Officer, Sasaram alleging that after death of petitioner's mother during service, her service book was not deposited before the D.M., Rohtas by the petitioner.

4. Learned counsel for the petitioner submits that petitioner is the son of deceased teacher and his mother has provided the service book to keep with him in her life time. Counsel also submits that petitioner is not residing at native

place Rohtas at Sasaram rather he is practicing lawyer at Allahabad High Court. Counsel further submits that petitioner received information demanding the service book later but prior to that F.I.R. has been lodged for criminal breach of trust. Counsel further submits that there is no ingredient of criminal breach of trust against the petitioner in the F.I.R. He further submits that petitioner has kept the service book of his mother which mother had handed over to him to keep in safe custody. Counsel further submits that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail but submits that petitioner is a practicing lawyer at Allahabad High Court and he has already provided the service book at appropriate place for further action.

6. In the aforesaid facts and circumstances, let the above-named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Town P.S. Case No. 124 of 2021, subject to the conditions as laid down under

Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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