

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61335 of 2022

Arising Out of PS. Case No.-774 Year-2020 Thana- ARA NAWADA District- Bhojpur

CHATURANAND PATHAK @ JHUNJHUN PATHAK S/O Kedarnath
Pathak R/O Mohalla Chandwa, Housing Colony near Kaali mandir P.S- Ara
Nawada, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta, Adv.

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Ara Nawada P.S. Case No. 774 of 2020, registered for the offence punishable under Sections 406, 420 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having taken money from the informant and other persons on the pretext of providing them with a job with the Railways, however, subsequently, neither the money was returned nor job was



provided to the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 15.07.2022. The learned counsel for the petitioner has further submitted that neither there is any evidence with regard to payment of any money to the petitioner by the informant nor the petitioner has ever taken money from the informant and others, hence, the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also having perused the impugned order dated 21.9.2022, this Court finds that minuscule evidence is available on



record so as to prima facie come to a conclusion that the petitioner has misappropriated the money of the informant, apart from the fact that he is having a clean antecedent and is languishing in custody since 15.7.2022, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 774 of 2022.

(Mohit Kumar Shah, J)

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