

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29482 of 2024**

Arising Out of PS. Case No.-303 Year-2022 Thana- GOH District- Aurangabad

Sudhir Kumar Singh son of Late Musafir Singh Village- Akauna Ps- Goh  
Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                         |
|----------------------|---|---------------------------------------------------------|
| For the Petitioner/s | : | Mr. N.K. Agrawal, Sr. Adv.<br>Mrs. Mukul Kumari, Adv.   |
| For the State        | : | Mr. Pramod Kumar Pandey, APP                            |
| For the Informant    | : | Mr. Surendra Kumar Mishra, Adv.<br>Mr. Shashikant, Adv. |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      09-08-2024                      In view of order dated 31.07.2024, passed by a coordinate Bench of this Court, the S.H.O. and the Investigating Officer of the case is present today in the Court with the records. Their personal appearance is dispensed with.

2. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

3. Petitioner is accused in connection with Goh P.S. Case No. 303 of 2022, G.R. No. 1182 of 2022 registered under Sections 406, 420, 408 and 409/34 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that this petitioner and other co-accused persons misappropriated Rs. 48,67,500/- of the college, which was collected as enrollment



fees from the students. They did not deposit it in the bank account of the college and kept it with themselves with the intention of embezzling it. It is also alleged that the petitioner has not submitted any documents of income and expenditure for the last two years, 2020-2021, like the cash book, checkbook, check register, sanction register, etc.

5. Learned counsel for the petitioner submits that the petitioner was never in-charge of Bursar (Vitekshak), and at the relevant time, Kamdeo Singh was Bursar of the college. Petitioner was posted as a Lecturer in the L.S.W. department in the college and has never dealt with the collection of fees of the students. It is further submitted that as a matter of fact, on 23.10.2019, informant himself was removed by the inquiry committee for misappropriation of amount of the college, and thereafter on 17.08.2020, was terminated from the post of Principal, but again on 11.03.2022, he was appointed on the same post. It is next submitted that it is the informant who defalcated Rs. 18 lakhs of the college, for which Goh P.S. Case No. 149 of 2020 has been lodged against him. It is lastly submits that the charge-sheet has already been submitted in this case. Petitioner is in custody since 29.02.2024.

6. Learned A.P.P. appearing on behalf of the State and



learned counsel for the informant vehemently opposed the prayer for bail by contending that petitioner is named in the First Information Report with the allegation that he along with other accused persons misappropriated Rs. 48,67,500/- of the college, which was collected as enrollment fees from the students.

7. Having considered the rival submissions advanced on behalf of the parties, the materials available on record and the fact that the charge-sheet has already been submitted as well as the petitioner is in custody for about 6 months, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 303 of 2022, G.R. No. 1182 of 2022.

**(Prabhat Kumar Singh, J)**

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