

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40320 of 2024

Arising Out of PS. Case No.-282 Year-2022 Thana- LAKHNAUR District- Madhubani

Braj Kishor Das @ Braj Kishor Mahto son of Prem Lal Mahto Vill-
Gangapur, Ps- Lakhanaur, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Lakhanaur Police Station Case No. 282 of 2022 dated 28.12.2022, disclosing offences under Sections 341, 323, 379, 420, 506, 34 of the Indian Penal Code.
3. As per the allegation in the FIR, the petitioner being the priest of Shri Radha Krishna Temple situated at Village Gangapur Tole, Bhelwa, misused the official position and defalcated the temples property worth lacs of rupees and captured the vacant land of the temple illegally and defalcated the amount towards settlement also.
4. Learned counsel for the petitioner submits that the petitioner was appointed as priest by the Bihar Religious Trust



Board. The uncle of the petitioner was the Mahant and before and after appointment, the petitioner has been performing pooja in the temple since long. The informant being the Vice-President of the Managing Committee and the Trust has lodged the present case and also lodged FIR against the uncle of the petitioner and the petitioner. The amount of defalcation have not been mentioned clearly in the FIR and except the informant, no other member of the Trust/Managing Committee has complained against the petitioner. The petitioner is in custody since 28.03.2024. His anticipatory bail application was rejected by this Court on 14.03.2024.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioner is in custody since 28.03.2024 and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

6. Let the petitioner, above named, 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 learned Chief Judicial Magistrate, Darbhanga in connection to the Lakhnaur Police Station Case No. 282 of 2022 dated 28.12.2022, disclosing offences under Sections 341, 323, 379,



420, 506, 34 of the Indian Penal Code.

7. This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

HarshPandey/-

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