

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22593 of 2025

Arising Out of PS. Case No.-601 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Ashutosh Kumar Son of Sudhir Chandra Chaudhary village - Jaimra, Ward
no. 5, Ps- Singhaul, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate
Ms.Vaishnavi Singh, Advocate
Mr.Ritwik Thakur, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Begusarai Town P.S. Case No. 601/2024 registered for the offences under Sections 316(2), 318(2), 352, 356 of B.N.S. in which Sections 336(3), 338 of the B.N.S. were also added.

3. As per the prosecution case, the petitioner (Ashutosh Kumar) who was working as a cashier and store manager is accused of financial misconduct at Sumangal 2.0 showroom. He allegedly manipulated billing records and DSR Excel sheets to defalcate cash, recording lower amounts and retaining the difference. The informant discovered discrepancies during verification and confronted the petitioner who admitted



the misappropriation and promised to return the amount by 25.10.2024. However, the petitioner failed to do so and threatened the informant not to file an FIR. Allegedly, the petitioner shared sensitive business data with a rival showroom, causing reputational damage. Based on these allegations, an FIR was lodged against the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case as the allegations levelled against him are baseless. It is contended that petitioner had earlier raised a complaint with the company i.e. Aditya Biral Fashion Pvt. Ltd through an e-mail, as contained in Annexure 'P/2'. Learned counsel further submits that there is no evidence to support the fact that petitioner used to take away the defalcated amount as alleged in the FIR. It is also improbable that the petitioner alone would have managed to create such false bills or had siphoned off the money without the knowledge of the owner. It is lastly submitted that the petitioner has clean antecedent and is in custody since 08.01.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is alleged to have misappropriated Rs. 6,13,878/- from the shop of



the informant.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the present case was lodged once the petitioner had raised a complaint against the informant through e-mail with the company and in retaliation to the same, the present case has been lodged, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 601/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.
- d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.



e. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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