

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67455 of 2025

Arising Out of PS. Case No.-423 Year-2025 Thana- BUXAR District- Buxar

Bhalchandra Sharma S/o Late Baleshwar Pandit Resident of vill-Panditpur,
PO- Nadawaon, PS- Buxar(Muffasil), Dist- Buxar, Bihar 802103

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 319(2), 318(4), 338, 336(3), 340(2), 316(5), 61(2) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that in the year 2011, while petitioner was working as clerk in the office of District Education Office, Buxar, an appointment order register was allegedly opened and kept in his custody, which is now missing from the office record, for which the petitioner has been held *prima facie* liable. Secondly, it is alleged that in the year 2016, while posted in the same office, this petitioner misled the then District Education Officer, procured a cheque of



₹3,05,000/- in his own name for expenses relating to Intermediate and Matriculation examinations, encashed the same despite not being examination in-charge, and unlawfully retained ₹48,600/- without depositing it in the treasury.

4. Learned counsel for the petitioner submits that from bare perusal of the F.I.R., it is apparent that the first incident took place in the year 2011 and second, in the year 2016, but the F.I.R. has been lodged after lapse of several years in the year 2025 without there being any plausible explanation of delay. He further submits that so far as first allegation is concerned, it is at best administrative lapse, for which, remedy is departmental proceedings, not the criminal proceedings. So far as second part of allegation is concerned, the cheque in question was duly sanctioned & signed by the then District Education Officer and petitioner duly submitted utilization details of the amount spent for examinations and as such, it belies the allegation made in the F.I.R. Learned counsel for the petitioner further submits that petitioner has been subjected to repeated harassment on identical cause of action. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.



6. Considering the submission made on behalf of petitioner and clean antecedent, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged 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 C.J.M., Buxar in connection with Buxar (Town) P.S. Case No. 423 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

