

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78941 of 2025

Arising Out of PS. Case No.-293 Year-2025 Thana- KISHANGANJ District- Kishanganj

Asgar Alim @ Md. Asghar Alim, S/o- Alimuddin, Resident of Village-
Kajlamani Dushadpatti Ward No 02 PS- Kishanganj Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Radha Mohan Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ashok Kumar
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kishanganj P.S. Case No. 293 of 2025 registered for the
offence(s) punishable under Section 316(5) of BNS.

3. As per the allegation made in the FIR, the
petitioner, who is a teacher in Higher Secondary School,
Motibagh, after his superannuation, did not hand over cash book
and other financial documents to his successor.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. He further submitted that
petitioner had handed over all other documents to his successor



but he has not handed over cashbook because it was not updated and specific statement has been made in paragraph no.8 of the bail application that after institution of FIR, the petitioner handed over the cashbook and *Panji* before Block Education Officer and the Block Education Officer has issued letter *vide* Letter No.446 dated 26.07.2025 and directed the in-charge of the school to verify and handover NOC to him and in such view of the matter the prosecution itself becomes unwarranted. Practitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that petitioner, who is a retired teacher and having clean antecedent, appears to have handed over all the required documents, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj / Concerned Court in connection with Kishanganj P.S. Case No. 293 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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