

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15939 of 2026

Arising Out of PS. Case No.-263 Year-2024 Thana- MAHISHI District- Saharsa

1. Piyush Ranjan Mishra @ Piyush Ranjan @ Pinku Mishra Son of Late Phuleshwar Mishra @ Late Phulkant Jha R/o Village - Mahishi, P.S. - Mahishi, District - Saharasa.
2. Manik Chandra Jha Son of Late Jai Naryan Jha R/o Village - Mahishi, P.S. - Mahishi, District - Saharasa.
3. Sachidanand Jha @ Kanhaiya Jha Son of Bhogendra Jha R/o Village - Mahishi, P.S. - Mahishi, District - Saharasa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Kumar Mishra
For the Opposite Party/s :	Mr.Ajay Kumar Jha
	Mr.Uday Shankar Choudhary
	Mr.Adarsh
	Mr.Manoj Kumar
	Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-04-2026 1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner nos.2 and 3 are persons with clean antecedent and the informant



alleges that he is Secretary of Ugratara Temple Trust Committee constituted by the Bihar State Religious Trust Board. It is next alleged that informant was entrusted with the work of temple for five years which included entire management, security and development of the temple. Further, the new committee i.e. of the informant was formed after the tenure of the earlier committee came to an end of which Piyush Ranjan Mishra was the Secretary and Manik Chandra Jha was the Treasurer. It is next alleged that the old committee refused to hand over charge and accounts. Accordingly, the Ex-officio Chairman of the Trust i.e. District Magistrate was requested to intervene, accordingly, in presence of the DCLR the lock of the committee was broken, since Piyush, who is husband of Mukhiya, was refusing to give charge. Accordingly, Mahishi P. S. Case No. 128 of 2023 was instituted against Piyush in which he is on bail. It is next alleged that after taking charge it transpired that offering given by devotees is missing as detailed in the FIR which also included gold ornaments.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that the



dispute in between the informant and the petitioner no.1. It is next submitted that no doubt, it is alleged that petitioner no.1 was not giving charge of the committee to the new committee of which the informant was the Secretary, but then the litigation was pending. It is also submitted that allegation of theft is an exaggerated allegation as police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form, but then the learned trial Court differing with the police report took cognizance based on which petitioners apprehend arrest. It is also submitted that one investigating agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which had exonerated the petitioners of the allegations.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that police after investigation submitted final form. The learned counsel appearing on behalf of the informant



submits that petitioner no.1 had not approached the Court with clean hands. It is submitted that at Para-3, it has been pleaded that petitioner no.1 has antecedent of one case when he has antecedent of five cases i.e. Mahishi P. S. Case No.39 of 2003, Mahishi P. S. Case No. 19 of 2025, Mahishi P. S. Case No. 104 of 2011, Mahishi P. S. Case No. 100 of 2014 and Complaint Case No.24 of 2022.

6. The learned counsel for the petitioners does not rebut the said submission of the learned counsel appearing on behalf of the informant, but then submits that in all the aforesaid cases i.e. Mahishi P. S. Case No.39 of 2003, Mahishi P. S. Case No. 19 of 2025, Mahishi P. S. Case No. 104 of 2011, Mahishi P. S. Case No. 100 of 2014, the petitioner no.1 has been acquitted, since petitioner no.1 was acquitted in all those cases, as such, at Para-22 of the anticipatory bail application, it was pleaded that petitioner no.1 was accused in some cases but was acquitted. It is also submitted that if it is found that petitioner no.1 was not acquitted in any one of the police cases as recorded herein above, in that event, his bail bonds shall not be accepted. It is also submitted that as far as Complaint Case No.24 of 2022 is concerned, the petitioner no.1 is not aware of the said case as he never received any summons.



7. After hearing the learned counsel for the parties, the petitioner nos.2 and 3, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Mahishi P. S. Case No.263 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

8. The application stands allowed.

9. As far as petitioner no.1 is concerned, petitioner no.1, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on **provisional bail anticipatory bail** on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Mahishi P. S. Case No.263 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

10. The application stands allowed.



11. The learned trial Court shall verify the criminal antecedent of the petitioner no.1 and if it is found that petitioner no.1 was not acquitted in any one of the four police cases as recorded herein above, in that event, the provisional anticipatory bail bonds shall be cancelled forthwith.

(Satyavrat Verma, J)

vikash/-

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

