

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25299 of 2026

Arising Out of PS. Case No.-147 Year-2025 Thana- AGION (GARHANI) District- Bhojpur

Ajay Kumar Choubey S/O Late Satrudhan Choubey R/O Village- Dhamaniya,
PS- Agiaon (Garahni), Distt- Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with AGIAON(G) P.S. Case No. 147 of 2025 dated 17.09.2025 registered for the offence punishable under Section/s 420, 409 and 120(B) of the I.P.C.

3. As per the prosecution case, the in-charge Principal, Sanjay Kumar Rai, committed financial embezzlement and irregularities in violation of decisions of the governing authorities and government instructions. Despite his resignation, he allegedly withdrew about Rs. 70 lakhs from college funds and misused the same by distributing money irregularly, including payments to certain individuals including petitioner without approval, and also withdrew funds in his own name in



violation of rules.

4. At the outset, counsel for the petitioner submits that earlier the petitioner had moved before this Court with a prayer for grant of anticipatory bail but, the same was dismissed as withdrawn. It is next submitted that the issue pertains to payment of salary and, as also, with regard to making in-charge Principal which was done by the *Ad hoc* Committee and, under the order of the Syndicate, the petitioner was paid salary by the *Ad hoc* Committee, not only to the petitioner but, to all teaching and non-teaching staffs of the College as against the duties discharged by them. It is the case of the petitioner that the petitioner was in no way connected with the decisions of the *Ad hoc* Committee by which the In-charge Principal was appointed and, as also, the salary was paid. Counsel for the petitioner refers the statement of the Secretary of the *Ad hoc* Committee, who has accepted in his explanation that it was all done in compliance of the decision of the Syndicate. It is next submitted that the similarly situated person namely Dr. Sanjay Kumar Rai has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 03.02.2026 passed in Cr. Misc. No. 5428 of 2026. It is lastly submitted that the petitioner bears no criminal antecedent.



5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the petitioner and considering the fact that the petitioner was merely a faculty member and had no role to play in such decision, which is said to have been taken by the Syndicate and, as also, the fact that the similarly situated co-accused Dr. Sanjay Kumar Rai has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below 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 Additional Chief Judicial Magistrate-VIII, Bhojpur, Ara in connection with AGIAON(G) P.S. Case No. 147 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

- (i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;
- (ii) the petitioner(s) shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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