

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35586 of 2026

Arising Out of PS. Case No.-313 Year-2025 Thana- MITHANPURA District- Muzaffarpur

Mukesh Kumar Singh S/O Dinesh Kumar Singh R/O Village - Gangoi, P.S-
Shyam Kauriya, District - Chhapra Saran

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Mithanpura P.S. Case No. 313 of 2025 registered for the offences punishable under Sections 316(2) & 318(4) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The allegation against the petitioner is to misappropriate an amount of Rs. 5,11,838/- of the informant/company i.e. M/s Aakash Educational Services Ltd., Mithanpura, Muzaffarpur, which was received against admission of students in the Institute.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was working with the aforesaid Institute and he was also a teacher. It is submitted that petitioner,



beside teaching in the Institute, was also providing private tuition and materials out of which he received certain amounts. It is pointed out that admission of student with the Institute was not possible without advance payment in the account of Institute/company and, therefore, that admission amount was transferred to the account of petitioner is a non-convincing allegation.

5. Arguing further, it is submitted that for aforesaid oblique motive, the petitioner was terminated from his service. It is submitted that the nature of dispute *prima facie* suggest that it is related with accounting dispute, which is primarily civil in nature and for that lodging of present criminal case is completely unoccasioned and unwarranted. Petitioner claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as primarily the dispute between the informant and petitioner is arising out of an employer and employee relationship due to accounting dispute, accordingly, above-named petitioner, who is a man of clean antecedent, in the event of his arrest/surrender within a period of four weeks



from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. - 1st Class, Court No. 17, Muzaffarpur (East) /concerned court in connection with Mithanpura P.S. Case No. 313 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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