

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48021 of 2026

Arising Out of PS. Case No.-29 Year-2024 Thana- SURSAND District- Sitamarhi

Rajesh Kumar @ Rajesh Kumar Singh S/o Ramujagar Singh @ Ram Ujaagar
Singh Resident of Village - Ratanpur, P.S. - Begusarai, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devanand Kumar S/o Ramanand Ray R/o Village - Jhakhara, P.S. - Sarairanjan, Dist. - Samastipur. At working as Executive Engineer Magistrate, Nagar Panchayat, Sursand, Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate.
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail registered for the
offence punishable under Sections 406 and 409 of the I.P.C.

3. The case of the prosecution, in short, is that the
petitioner was absent from his office without informing anyone.
Since 04.12.2023, during his absence, his charge was given to
one Raj Kumar. From perusal of the relevant documents, it was
found that the petitioner had allegedly committed defalcation of
a total amount of Rs. 9,65,912/-.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. He also submits that as per the case of the prosecution, the petitioner has left the office on 04.12.2023, whereas any investigation/inquiry was made on 30.12.2023. He further submits that it is clear from the FIR that the inquiry is still undergoing and from perusal of the order of the learned trial court also, it transpires that the learned trial court has also found that the total amount that is alleged to be defalcated is Rs. 9,65,912/-. He further submits that the receipts, which are said to be having discrepancies, are of the year 2021 and that in his tenure audit of the accounts was made and he was never found at fault. He further submits that the petitioner has finally left the job. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 26.02.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 29 of 2024.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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