

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78690 of 2025

Arising Out of PS. Case No.-320 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Ashok Kumar Gupta S/o Jagarnath Prasad Resident of village - Puchari
Bazar, P.S - Baniyapur, District – Saran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 24-02-2026 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner apprehending his
arrest in connection with Gopalganj P.S. Case No.
320 of 2025 registered for the offences punishable
under Sections 318(4)/316(5)/338/336(3) and
340(2) of BNS.

3. As per FIR, informant, who is the
Presiding Officer of the District Appellate Tribunal
alleged petitioner to defalcate the government
money of Rs. 1,34,004/- as received by him for
purchasing different official goods/items.

4. It is submitted by learned counsel
appearing on behalf of the petitioner that out of



aforesaid amount, Rs. 25,000/- admittedly was deposited by the petitioner through FIR itself. It is submitted that as per direction of the Presiding Officer different office items including heater etc. were purchased through voucher no. 4 whereafter it has been approved by Presiding Officer himself to release the payment of Rs. 81,200/- through cheque no. 600060. It is submitted that it is not the case of misappropriation, rather due to accounting issue, the present false case was lodged. It is submitted that petitioner is working with Education Department and he was with informant on deputation basis.

5. Explaining criminal antecedent, it is submitted that petitioner found involved in three more criminal cases, where after trial he was acquitted in two cases and in only one remaining case he is on bail.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* factual aspects of this case suggests accounting dispute



out of official withdrawal, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj/concerned Court, where the case is pending in connection with Gopalganj P.S. Case No. 320 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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