

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Anticipatory Bail Petition No. 882/2026

Pachrukhi P.S. Case No. 45/2018

Baban Chaudhary..... Petitioner

Vs.

The State of Bihar O.P.

ORDER

20.05.2026

1. Ld. Counsel moves this anticipatory bail petition on behalf of accused petitioner namely **Baban Chaudhary**, who apprehends his arrest in connection with Pachrukhi P.S. Case No. 45/2018 registered u/s 406, 409/34 of IPC against the petitioner.

2. Ld. Counsel for the petitioner submits that petitioner is innocent and has committed no offence, rather he has falsely been implicated in this case. The allegations as narrated in the FIR is totally false, baseless and concocted. Petitioner bears no criminal antecedent. Ld. Counsel further submits that petitioner was Headmaster of Government Middle School, Pachrukhi and he is aged about 72 years. There is no chance of his absconding and tampering with the evidence. Hence, Ld. Counsel prays for anticipatory bail.

3. On the other hand, Ld. P.P opposes the prayer for anticipatory bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an FIR vide Pachrukhi P.S. Case No. 45/2018 was registered on 21.02.2018 against the petitioner. As per letter no. 101 dated 21.02.2018, the then headmaster of Middle School Pachrukhi namely Baban Chaudhary (petitioner) along with secretary School Education Committee withdrawn the cash from the account, but they do not complete the construction work inspite of the issuance of the directions. It is alleged that in this connection D.P.O, Siwan Primary Education and Sarva Siksha Abhiyaan, Siwan issued letter no. 53 dt. 08.01.2018 to this accused petitioner, who deposited the embezzlement amount Rs.14,84,688/- and letter no. 51 dt. 29.01.2018 was sent to him for

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depositing the same amount in the school account, which was not complied by the accused and the then secretary.

6. From perusal of record, it appears that petitioner is sole named accused of the FIR. Earlier the petitioner was admitted to provisional bail by Hon'ble High Court till submission of charge-sheet on the condition that if after submission the case against the petitioner is found to be true, he will have to surrender before the court below. Now, Charge-sheet has been submitted by I.O finding the case true against the petitioner. Thus, petitioner kept absconding and caused inordinate delay of four years in progress of the case.

7. As per para-3 of the bail petition it appears that petitioner bears no criminal antecedent.

8. Considering the aforesaid facts and non-compliance of direction of Hon'ble High Court, the present anticipatory bail application filed on behalf of petitioner **Baban Chaudhary**, is hereby **rejected**.

(Dictated)

(Motish Kumar Singh)
Sessions Judge,
Siwan.
20.05.2026.