

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2519 of 2023

Applicant :- Manoj Kumar

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home, U.P. Lucknow
And Another

Counsel for Applicant :- Raj Kumar Verma, Rohit Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Raj Kumar Verma, the learned counsel for the applicant as well as Sri Arpit Kumar, the learned Additional Government Advocate appearing on behalf of the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.0343 of 2022 under Sections 406, 409, 419, 420 IPC, Police Station Mitauli, District Lakhimpur Kheri.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 20.09.2022 alleging that while working in the bank, the applicant wrongly transferred moneys from several accounts by misusing the password of other officers/employees working in the Bank and, thus he embezzled Rs.22,91,427/-.

4. In the affidavit filed in support of the anticipatory bail-application, it has been contended that the applicant is innocent, he has no criminal history and he has falsely been implicated in the present case.

5. The learned A.G.A. has opposed the prayer for bail and has submitted that investigation is going on, and at this stage, grant of anticipatory bail to the applicant will adversely affect the investigation.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the allegation against the applicant,

who is an employee of the bank, is of wrongful transfer of money from several accounts by misuse of password of other employees of the bank, I am of the view that the aforesaid facts do not warrant exercise of discretion of this Court by enlarging the applicant on anticipatory bail.

7. In view of the above, the anticipatory bail application of the applicant is **rejected**. However, in case the applicant files any bail application, the same shall be considered and decided, without being influenced by rejection of this anticipatory bail application.

Order Date :- 7.11.2023
prateek