

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15433 of 2017

Arising Out of PS.Case No. -381 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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1. Suman Kumar Jha, Son of Vijendra Kumar Jha, Resident of Village + P.O.-Murli, P.S.-Kishanpur, District-Supaul, Aziwika Sewa Pratinidhi, Bhartiya Samridhi Finance Ltd. Khagaria.
 2. Sanjay Kumar Singh, Son of Sri Durga Singh, Office Accountant, Bhartiya Samridhi Finance Ltd. Khagaria, Resident of Qtr. No. B-498, Sector-3, H.E.C. Colony, Dhurwa, Ranchi (Jharkhand).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Adv.
For the Opposite Party/s	:	Mr. Tarkeshwar Nath Thakur, APP
For the Respondent	:	Mr. Mithlesh Kumar Gupta, Adv.
		Miss. Minu Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 26-07-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khagaria P.S. Case no. 381 of 2016, registered under Sections 406, 420, 467, 468 and 471/34 of the Indian Penal Code.

The allegation of informant Pankaj Kumar is that he is the Deputy Manager of Samrudhi Finance Ltd. Khagaria and several branches of his company are situated all over the Bihar in which both the petitioners were posted as Assistant Manager and they received cash of Rs. 24,82,802/- from different customers and also issued receipt, but the said amount was not deposited in account of company



and misappropriate the same.

Learned counsel for the petitioners submits that admittedly both the petitioners were Assistant Manager in the Bhartiya Samrudhui Finance Ltd., Khagaria Branch, but due to torturous attitude of the informant, both the petitioners left the job of Assistant Manager on 29.02.2016 and 05.04.2016, respectively, and handed over the charge to the other officials, which would appear from Annexure-2 and 2/1. But, later on with ulterior motive, the present case has been lodged. Further submission is that petitioners having no criminal antecedent and similarly situated co-accused Prabhat Kumar Kundan has been granted anticipatory bail on 19.10.2016 vide Criminal Miscellaneous No. 43811 of 2016.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 381 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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