

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51018 of 2017

Arising Out of PS.Case No. -129 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Saraswati Prakash Pandav Son of Late Bhagdev Singh, R/o Village-Samartha, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Dalsingsarai P.S. Case No. 129 of 2017 instituted for the offence under Sections-419, 420, 409 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that vague and omnibus allegation has been levelled against the petitioner. The informant claiming himself to be authorized officer of Vedavaag Systems Ltd. has lodged written report against the petitioner who was working as in-charge of customer centre of having received complaint from 515 customers in February, 2017 about the embezzlement of their amount by the aforesaid customer centre. The company sent legal notice to the petitioner to explain about those transactions but the



petitioner avoided and he did not come in the company. The informant alleged that the petitioner embezzled the amount and the company suffered huge loss.

From the written report itself, it appears that general and omnibus allegation has been levelled against the petitioner.

The case diary has been received. In the case diary, supervision note is available in which, police has mentioned about certain amounts said to be deposited by different customers but there is no any specific statement recorded of those depositors during investigation.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dalsingsarai P.S. Case No. 129 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Dalsingsarai, Samastipur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner



tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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