

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49898 of 2017

Arising Out of PS.Case No. -124 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

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Barun Kumar Singh, s/o Sadhu Saran Singh, r/o vill- Raksel Tendua, PS-
Hariharganj, Dist- Palamu (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-10-2017 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Aurangabad (Town) PS case no. 124 of 2011 for the offences
punishable under Sections 420, 467, 468, 120(B) of Indian Penal
Code.

The allegation against the petitioner is swindling
the money of the customers while he was employed as Manager in
the O.C.P.L. and was issuing only the receipts for the money given
by the customers, however, neither the bond nor PDR were issued
and thereafter the amount so taken from the customers was not
being returned by the petitioner upon being asked to be refunded.

The learned counsel for the petitioner submits that
the petitioner is innocent. He was working as a part time employee



of the said company. He was only an employee and not the owner of the company, hence the liability of the amount cannot be fastened on him. Learned counsel for the petitioner, however, submits that the petitioner is ready to deposit a sum of Rs. 35,000/-, a part of the amount defalcated, before the trial court for the purposes of securing the bail.

In the facts and circumstances of the case as well as considering the fact that the petitioner is ready to deposit a sum of Rs. 35,000/- I deem it fit and appropriate to enlarge the petitioner on bail upon deposit of Rs. 35,000/- (thirty five thousand) with the learned trial court and upon such conditions as the learned Chief Judicial Magistrate, Aurangabad may deem fit and appropriate.

The aforesaid amount shall be subject to the final outcome of the case.

The petition is disposed of.

(Mohit Kumar Shah, J.)

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