

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35852 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- MAHUA District- Vaishali

Nilmani Tripathi Son of Kulvendra Nath Tripathi Resident of Village-
Kushmah (Near Mandir), P.S. Sonbhadra, District Sonbhadra, (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 36324 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- MAHUA District- Vaishali

Pappu Kumar, Son of Ramanuj Prasad @ Ramanuj Singh, resident of
Village- Suryapura (Karajan), P.S. Athmalgola, District- Patna, at present
posted as Assistant Branch Head Arohan Financial Services Pvt. Ltd. Mahua,
P.S.- Mahua, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 43524 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- MAHUA District- Vaishali

Satendra Kumar, Son of Shivapujan Rai, R/o Sorampur, P.S.- Janipur,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 35852 of 2018)

For the Petitioner/s : Mr. Om Prakash Upadhyay

For the Opposite Party/s : Mr. Smt. Asha Devi

(In Criminal Miscellaneous No. 36324 of 2018)

For the Petitioner/s : Mr. Dshirendra Kumar Trivedi

For the Opposite Party/s : Mr. Smt. Sangeeta Sharma

(In Criminal Miscellaneous No. 43524 of 2018)

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Sri Ashok Kumar



CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

7 11-09-2018 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Informant.

All these three bail applications arise out the common FIR and as such they have been heard together and are being disposed of by this common order.

The petitioners, who are in custody, seek bail in connection with Mahua P.S. Case No. 79 of 2018 registered for the offence punishable under Section 406/34 of the Indian Penal Code.

Petitioner Nilmani Tripathi in Cr. Misc. No. 35852 of 2018 is the Branch Head (Mahua Branch) of Micro Finance Company named as Arohan Financial Services Pvt. Ltd. Petitioner Pappu Kumar is the Assistant Branch Manager in Cr. Misc. No. 36324 of 2018 and Petitioner Satendra Kumar is CSR in Cr. Misc. No. 43524 of 2018 and are employees of said company.

Allegations against them is that they were absent from the Branch without information. The informant is the Area Manager of the company, when he went to the Branch office and checked account, he found that about Rs. 10,61,341/-



were missing and he lodged FIR against these petitioners for embezzlement of Rs. 10,61,341/- of the company.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case on the basis of suspicion only. Nothing incriminating has been found against petitioners. They are not concerned with the missing of the money. Petitioners have no criminal antecedent and they are in custody since 11.04.2018.

Learned counsel for the informant vehemently opposes grant of regular bail to petitioners on the ground that they are accused of misappropriation of huge amount of Rs. 10,61,341/- of the Finance Company.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hajipur, Vaishali, in connection with Mahua P.S. Case No. 79 of 2018.

(S. Kumar, J)

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