

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35775 of 2018

Arising Out of PS.Case No. -54 Year- 2018 Thana -AHIAPUR District- MUZAFFARPUR

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1. Vivek Kumar Gautam, Son of Bhanu Pratap resident of E, 20/282 First Floor, Sector-03, Rohini, Delhi 85, District- North West Delhi, P.S. Rohini, Delhi. At present Manager Citi Finance Service Delhi, R/o Dadar Branch, Zero Mile Road, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 09-08-2018 Heard the learned counsel for the petitioner and counsel appearing on behalf of the State.

The petitioner is in custody since 06.02.2018 in connection with Ahiyapur P.S. Case No.54 of 2018, registered under Section 406, 420 and 120(B) of the Indian Penal Code.

The case of the informant is that the petitioner had induced the complainants-informant to make deposit of Rs.3 lakhs in the name of Citi Finance services while he was functioning as Manager in the Muzaffarpur office. The said deposits were made by the informant on the assurance that he would be eligible for overdraft of Rs.6 lakhs. Further case of the informant is that petitioner's intention was never to give any overdraft nor return the money as his business premises were found to be locked and the petitioner was found absconding when the police tried to apprehend. It



is under such allegation that the petitioner has been taken into custody and languishing in jail.

Learned counsel appearing on behalf of the petitioner submits that admittedly, the money has gone into the account of one for the State Finance Services on which he was a Branch Manager and he has nothing to do with the defalcation of the same. The premises were found to be locked. Another depositor has made a complaint and in pursuance of that complaint, Ahiyapur P.S. Case No.1098 of 2017 has been registered. The premises has been locked and, therefore, the petitioner is not be blamed for the same. It is further submitted that the petitioner is willing and ready to abide any term and condition of this court while granting bail as and when required.

In view of the aforementioned facts and circumstances of the case and the period of custody, let the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Ahiyapur P.S. Case No.54 of 2018.

(Anjana Mishra, J)

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