

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22256 of 2019

Arising Out of PS. Case No.-231 Year-2018 Thana- RAJIVNAGAR District- Patna

Akash Kumar, aged about 27 years, Male, S/o Sanjay Kumar R/o-210 Tima guest house, 2nd Floor, Shashi Complex, Exhibition Road, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Roy

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-04-2019 Heard both sides.

Petitioner apprehends his arrest in Rajeev Nagar P.S.

Case No.231 of 2018, registered under Sections 420, 409 and 34 of the Indian Penal Code.

The informant is the Director of MSD Telematics Private Limited whose work is to provide GPS service to different departments of the government. The informant made allegation against Sanjeev Kumar Tiwary who was working as Vertical Head, Hardware Sales in the company since 15.12.2012. The informant alleged that Sanjeev Kumar Tiwary misappropriated about Rs.8,00,000/- of the company in between 01.12.2017 and 31.01.2018 but he was transferred to work in the Mining Department. Sanjeev Kumar Tiwary got the staff of his choice posted along with him.



Learned counsel for the petitioner submits that there is no allegation of defalcation or misappropriation of any amount against the petitioner. Petitioner is named as a person who was working under Sanjeev Kumar Tiwary. Petitioner is not at all entrusted with any work of collecting money of the company.

Having considered the facts that on perusal of the FIR it appears that of course the name of the petitioner figured in the case but the informant, Director of the company, did not make any sorts of allegation that the petitioner also misappropriated any amount of the company, the only allegation against the petitioner is that he worked with Sanjeev Kumar Tiwary Vertical Head of the company, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 A.C.J.M.-III, Patna in connection with Rajeev Nagar P.S. Case No.231 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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