

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25012 of 2019

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

Sanjeev Kumar Tiwari, Son of Prabha Shankar Tiwari, Resident of Village -
1St Floor, Avantika Niwas Junapara, P.S.- Pipariya, Distt.- Baikunthpur,
Chhatisgarh.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Tiwary, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Surinder Kumar, Advocate
		Mr. Tanweer Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-06-2019 This is an application for grant of anticipatory bail in connection with Rajiv Nagar P.S. Case No. 231 of 2018, disclosing offences under Sections 420, 409, 34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is that he was appointed Vertical Head (Hardware Sales) by the M/s MSD Telematics Pvt. Ltd. for collecting the excise duty under check post and he collected Rs.3,02,000/- & Rs.5,00,000/- from the period 01.12.2017 to 31.01.2018, but he has not deposited the said amount to the Company and thereafter, he got transferred in the Mines Department. Further allegation is that 750 GPS device were also found missing, this counted total loss of Rs.85,00,000/- to the Company.



Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case and F.I.R. is lodged after much delay and as a matter of fact to conceal the several misdeeds, the present case has been lodged.

Heard learned A.P.P. as well as the learned counsel appearing on behalf of the informant also, who has opposed the prayer for bail by stating that there are allegation of collecting the money and not deposited the same to the company and huge loss to the company.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which shall be considered by the learned trial court on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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