

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48823 of 2019

Arising Out of PS. Case No.-328 Year-2018 Thana- GOVINDGANJ District- East
Champaran

=====

Sonu Kumar, Son of Late Devendra Mahato, Resident of Village-Lakhanpur,
Police Station-Begusarai, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in this case, is seeking anticipatory bail
in connection with Govindganj P.S. Case No.328 of 2018
registered for the offences punishable under Sections 420, 409,
406, 467, 468 and 471 of the Indian Penal Code.

Petitioner in the present case is said to be a Field
Collection Officer (F.C.O.) in M/s Annapura Finance Private
Ltd. at branch office, Areraj. The Regional Manager of the said
Company has lodged the First Information Report alleging that
the branch manager Devendra Kumar has along with two other
staffs one of whom is this petitioner had defalcated and
misappropriated a sum of Rs.9 lacs.



Learned counsel for the petitioner submits that the job of this petitioner was only to collect the forms and KYC's from the members of the group and to submit in the branch office. It is submitted that he has on some occasion only received some amount and to that extent he has given a written acknowledgement that he is ready to deposit a sum of Rs.25,000/-. Learned counsel submits that the petitioner has not committed any offence of misappropriation and is ready to abide by the terms and conditions which may be imposed by this Court for grant of anticipatory bail.

Learned APP for the State is present and has opposed the prayer for anticipatory bail. It is submitted that the branch manager along with two other staffs including this petitioner has misappropriated Rs.9 lacs and the role of this petitioner in misappropriation of money cannot be ruled out particularly when the petitioner has himself admitted that he is ready to deposit Rs.25,000/-. Learned APP, however, submits that considering the materials on the record the petitioner should deposit at least Rs.50,000/- on account for the purpose of grant of anticipatory bail.

In the given facts and circumstances of the case, learned counsel for the petitioner submits that the petitioner



would deposit a sum of Rs.50,000/- in the court below subject to result of the case.

In the aforesaid view of the matter, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each, together with proof of deposit of Rs.50,000/- in the court below which will be subject to the result of the case, to the satisfaction of learned Additional Chief Judicial Magistrate-I, East Champaran at Motihari in connection with Govindganj P.S. Case No.328 of 2018 (G.R.Case No.7737 of 2018), subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India



without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

