

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69999 of 2019

Arising Out of PS. Case No.-712 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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DURGESH KUMAR Son of Laxman Mahto @ Lakshman Nuniya Resident
of Village - Amwa Bijaypur, P.S.- Bishambharpur, District - Gopalganj.
Presently residing at Mohalla - Jai Prakash Nagar, I.T.I., Road No.- 7, P.S. -
Bettiah Mufassil, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-11-2019 This application, for grant of anticipatory bail, arises

out of Bettiah (T) P.S. Case No. 712 of 2018, disclosing

offences under Sections 406, 420, 379 and 120B of the Indian

Penal Code.

Petitioner happens to be employee of Swadhar
Finserve Pvt. Ltd and there was collection of Rs. 7 to 8 lakhs
per day by the company, which was kept in vault and one key
was in custody of informant and another key remained in
custody of one Damini Kumari another employee of the
company and the vault can be opened by using both keys only. It
is further alleged that on 11.08.2018 Rs. 24, 69, 860/- cash was
kept in vault along with coins worth Rs. 27,556/- and on



13.08.2018, when the locker was opened, that the total currency notes were missing but the coins were there in the locker and so far petitioner is concerned, it is alleged that while the branch manager (informant), who is the custodian of keys had gone to jail in connection with a matrimonial case, the key was handed over to the petitioner for some days.

Submission of learned counsel for the petitioner is that according to F.I.R itself it is evident, the locker cannot be opened with one key and further the key was in possession of the petitioner only for few days and he has falsely been implicated in this case and ready to abide by any condition imposed on him.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is disposed of with direction to the petitioner to surrender in the court below within a period of three weeks from the date of receipt of a copy of this order in the court below, be released on bail provisional bail till submission of chargesheet on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah (T) P.S. Case No. 712



of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and once charge is submitted and any serious incriminating material comes against the petitioner, he has to surrender in the court below and pray for regular bail, which will be considered by the court below on the basis of materials available at that time.

(Vinod Kumar Sinha, J)

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