

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75505 of 2019

Arising Out of PS. Case No.-480 Year-2018 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Raja Kumar, S/o Bharat Bhagat, R/o village- Beruadih, P.S.- Sakra, District-
Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 16-06-2020 Heard learned counsel for the petitioner and

learned counsel for the State via video conferencing.

By way of the present application, the petitioner has sought for pre-arrest bail in connection with Kazi Mohammadpur P.S. Case No.480 of 2018 registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

It is contended by the learned counsel for the petitioner that admittedly the petitioner had been working in the informant's company as a delivery boy. He was assured payment of Rs.8,000/- per month along with travelling allowance of Rs.1.50 per kilo meter at the time of joining, but he was being paid an amount of Rs.4,000/- per month without any travelling allowance, and on demand, it was being answered



that the rest amount will be paid in future. When the petitioner insisted for clearing his account, as he was not ready to work there on a monthly salary of Rs.4,000/- per months, he was implicated in the present case, which is concocted and fabricated. It has further been contended that the petitioner has got no criminal antecedent.

On the other hand, learned counsel for the State submitted that there is allegation in the first information report that when the petitioner returned certain packets, which were given for him for delivery, it was found that sticker of one packet was not properly sealed and out of suspicion when the packets were opened, it was found that in place of mobiles, the packets contained power bank and soap. On inquiry, the petitioner did not accept his guilt. He contended that by the aforesaid act of omission and commission the petitioner had caused defalcation of Rs.1,18,000/- of E. Com. Express Pvt. Ltd.

Regard being had to the nature of allegation, the submissions advanced on behalf of the parties as also that the informant has not mentioned specific date and time of occurrence in his written report, in the event of arrest or surrender in the court below, the petitioner is directed to be



released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st (East), Muzaffarpur in connection with Kazi Mohammadpur P.S. Case No.480 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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