

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85015 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- RAJIVNAGAR District- Patna

1. RAJESH KUMAR SINGH S/o Vijay Kumar Singh R/o village- Tejpur, P.S.- Telhara, District- Nalanda
2. Manoj Kumar S/o Kapildeo Yadav R/o Mohalla- Mithila Colony, Indrapuri, P.S.- Patliputra, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Narayan, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-07-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Rajeev Nagar P.S. Case No.274 of 2019 registered under Sections 408, 420 and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the audit was made from 20.05.2019 to 22.05.2019 and the petitioners were found staked less amount in the A.T.Ms. and thereby alleged to have misappropriated Rs.3,23,600/-. It is further submitted that petitioner did not stake money in the A.T.M. in between 20.05.2019 to 22.05.2019. Both the petitioners were terminated from service on 11.05.2019 and they are alleged to have not settled the accounts of Rs.72,900/- only



till the closing hours of 13.05.2019, therefore, the allegations, as alleged in the F.I.R., are false and concocted.

Learned A.P.P. opposed the prayer for anticipatory bail.

It appears that informant has of course alleged that on suspicion, the office auditor of the company audited different A.T.Ms. in which the petitioners were authorised to stake money and found on inspection between 20.05.2019 to 22.05.2019 that both the petitioners staked Rs.3,23,600/- less amount in the A.T.Ms. but it appears from perusal of Annexure-2, the termination letter of the petitioners, that petitioners were removed from the service by letter dated 11.05.2019 on the charge that both the petitioners did not settle shortage amount of Rs.72,900/-. Each petitioner is ready to deposit Rs.72,900/- within two months from the date of his release.

Taking into consideration the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each 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.274 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further made clear that if the petitioners fail to deposit Rs.72,900/- within two months from the date of their release, learned court below shall cancel the bail bonds of the petitioners.

(Prabhat Kumar Jha, J)

Saurabh/-

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