

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31558 of 2020

Arising Out of PS. Case No.-92 Year-2017 Thana- PANDAUL District- Madhubani

1. Nawal Kishore Jha @ Navonath Jha aged about 40 years S/o Sidheshwar Jha R/o Village-Balha Durga tol, P.S.-Rajnagar, District-Madhubani.
2. Vinod Dubey @ Vinod Kumar aged about 45 years S/o Gopinath Dubey R/o Village-Viviganj, P.S. and District-Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420, 406, 120B, 504 and 467 of the IPC.

Petitioner no.1 is the branch manager of Pandaul branch of Jyoti Shakha and Bachat Swablambi Samiti Ltd, head office at Delhi, whereas petitioner no.2 is Chairman of the said Samiti. It is alleged that these petitioners, being officials of the Samiti, defalcated Rs.6,09,991/- which was deposited by the general public through agent of the Samiti.

Learned counsel appearing for the petitioners submits that the petitioners are simply employees of the Samiti and there is general and omnibus allegation against them. They were



neither entrusted any amount by the depositors nor the petitioners deposited any amount of the depositors with the Samiti. It is further submitted that the amount in question was deposited by the informant out of his own choice. Petitioners have got no criminal antecedent. Similarly situated co-accused Ugranath Jha and Sanjay Mishra have already been allowed anticipatory bail by this Court vide order dated 27.2.2020, passed in Cr.Mis.No. 2430/2020 (Annexure P/2).

In view of the fact that the petitioners are simply employees of the Samiti, no amount was entrusted to them by the informant and the deposits have been made through the agents, in the event of arrest/surrender within eight weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhubani in Pandaul Police Station Case No. 92 of 2017, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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