

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3848 of 2021

Arising Out of PS. Case No.-412 Year-2019 Thana- GARDANIBAG District- Patna

KAIFI ASGAR @ TASHI, Son of Mohiuddin Asgar Resident of Churi
Mohalla- Bhandari Dih, P.S.- Giridih, District- Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarva Deo Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-08-2021 Heard Mr. Sarva Deo Singh, learned advocate

for the petitioner and Ms. Veena Rani Prasad, learned

APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Gardanibagh P. S. Case No.
412 of 2019, dated 17.07.2019, instituted for the
offences under Sections 420 and 406 of the Indian Penal
Code.

It has been alleged in the F.I.R. that the
petitioner is the cousin of the wife of the informant and
therefore he was retained as the Manager in the
establishment of the informant. Despite clear



instructions to the petitioner to deposit all money in the account of the firm, approximately an amount of Rs. 17 lakhs and odd is said to have been embezzled and invested by the petitioner in some business venture of his brother. The assurance of the petitioner to return that amount also has not been fulfilled.

Hence, the prosecution.

The learned advocate for the petitioner has submitted that in the long-winding F.I.R., most unintelligible accusation has been made. What was the nature of the engagement of the petitioner in the firm of the informant is not known. In what capacity was he serving and what was the occasion for him to accept the money and deposit it elsewhere has also not been explained. In fact, the learned advocate for the petitioner has submitted, the entire accusation is false.

The petitioner is related to the father-in-law of the informant. The informant is not having good relationship with his father-in-law because he has not



acceded to his request for transferring a property, some part of which falls in the share of the mother of the petitioner. Hence, this kind of accusation has been levelled in order to disturb the family of the father-in-law of the informant.

The learned advocate for the petitioner has further submitted that the allegations are too vague for it to be accepted and for the petitioner to be prosecuted.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. - 14, Patna, in connection with Gardanibagh P. S. Case No. 412 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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