

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17379 of 2022

Arising Out of PS. Case No.-286 Year-2020 Thana- JAYNAGAR District- Madhubani

SACHIN KUMAR HIMANSHU Son of Sone Lal Prasad Gupta @ Sonalal Sah Resident of Village- Bhatuar, Police Station- Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2022

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420 and 506 of the Indian Penal Code.

As per F.I.R., this petitioner, who was posted as Manager in Jainagar branch of Sugam Pariwahan Pvt. Ltd., has defalcated Rs. 9,88,717/- of the company.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. It is further submitted that collection and deposit of the amount is the duty of cashier. During the period of lockdown, work of the branch was stopped and key of godown was with the watchman and neither it was the duty of petitioner to watch the godown nor he is liable for missing of goods from the godown. As a matter of fact, this



petitioner demanded his wages of the lockdown period, as a result of which, this false and concocted case was lodged in order to debar the petitioner from advancing his claim of pay of lockdown period. Petitioner has got clean antecedent.

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

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with C.R.I. No. 1613 of 2020, arising out of Jaynagar P.S. Case No. 286 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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