

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22384 of 2022

Arising Out of PS. Case No.-490 Year-2021 Thana- BYPASS District- Patna

NIRAJ KUMAR @ SURAJ KUMAR S/o Sri Raju Mehta Resident of
Makhdumpur Gate No.88, Police Station- Digha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

Mr. Brij Bihari Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the petitioner, the informant
and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406,
467, 468 and 120(b) of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

Allegation against the petitioner is that he
misappropriated an amount of Rs.35,10,423/- by not depositing
the money in the account of the company on the basis of bill
issued to the shop-keepers.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner has already deposited all the money in the account of the company through NEFT and bank cheques.

Learned counsel appearing for the informant rebuts the submission of the learned counsel for the petitioner and submits that a false submission has been made on behalf of the petitioner that the money has been deposited.

Learned counsel for the petitioner at this stage submits that ultimately the allegation is in the realm of an allegation. It is further submitted that the allegation of the informant that money has not been deposited, the defence of the petitioner is of depositing the money in the account. It is next submitted that in the event, if the petitioner is acquitted after trial then how his period of incarceration would be compensated and in the event if petitioner is indicted in the trial then he will serve the sentence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with By-Pass P.S. Case No. 490 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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