

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25849 of 2022

Arising Out of PS. Case No.-287 Year-2021 Thana- BELHAR District- Banka

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SANJEEV KUMAR @ SANJEEV KUMAR CHAKRABORTI @ SANJEEV
CHAKRABORTI Son of Murari Chandra Chakraverty Resident of Village
-Sukhilka Colony, P.S.- Tilkamanjhi, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shankar Kumar Bhagat Son of Late Jagarnath Bhagat Resident of Village -
Sahebganj, P.S.- Belhar, Distt.- Banka.
3. Animesh Kumar Son of Sachidanand Singh Resident of Village -Kachhi
More, P.O. and P.s.- Kharagpur, Distt.- Munger.
4. Md. Asif Son of Md. Mazid Cement Seller, Resident of Village -Madarpur,
P.O.- Makwa, P.s.- Asarganj, Distt.- Munger.
5. Pramod Chaudhary Son of Chamak Lal Chaudhary Resident of Village
-Lakhanpur, P.s.- Tarapur, Distt.- Munger.
6. Amarjeet Chaudhary Son of Gorelal Chaudhary Resident of Village
-Lakhanpur, P.s.- Tarapur, Distt.- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajoy Kumar Chakraborty
For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the
offences punishable under Sections 420, 406/34 of the Indian
Penal Code.

As per the prosecution case, petitioner being
employee in the ACC Cement Company collected Rs. 10.75 lacs
from different shopkeepers and misappropriated the said
amount.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. No chit of



paper has been produced by the informant to support the allegations. Petitioner is simply a marketing sales promoter in the company and his duty was only to communicate the dealer (informant) about the requirement of quantity of cement by the retailers and there is no system in the company to collect any amount from the third party because money transaction is required to be made through RTGS or online banking system. Moreover, the matter is of civil nature. Petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that there is specific allegation against the petitioner that he being employee in the ACC Cement Company collected Rs. 10.75 lacs from different shopkeepers and misappropriated the said amount.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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