

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34072 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- JAYNAGAR District- Madhubani

KRISHNA KUMAR JHA S/o Late Upendra Jha Resident of Village- Jagat,
P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naresh Kumar S/o Sardar Singh Resident of Mohalla- Do Tana, Tahsil and
P.S.- Nasaul, District- Mahendragadh, State- Hariyana at present Branch
Manager, North Eastern Corporation Limited near Bus Stand, Mohalla, P.S.
and P.O. Jaynagar, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in a case registered for the
offence punishable under Sections 420, 406 of the IPC.

Allegedly, petitioner is said to have misappropriation to
the tune of Rs.2,97,422/- while holding the post of Branch
Manager, North Eastern Corporation Limited.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. On bare perusal of



the F.I.R., it is evident that the matter of misappropriation by the petitioner and others came into light on 25.08.2020 but the F.I.R. has been lodged on 27.08.2021 i.e. after a delay of one year. This inordinate delay in lodging the F.I.R. without giving any plausible explanation casts doubt about the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Jaynagar P.S. Case No.238 of 2021, corresponding to G.R. No.1612 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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