

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44539 of 2021

Arising Out of PS. Case No.-140 Year-2021 Thana- BYPASS District- Patna

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Arun Kundalia Son of Shri Chhatu Singh Kundalia R/o Navrang Building,
Flat No.- B, 2nd Floor, Opp. SBI Naya Tola, Jain Colony, P.S.- Kadamkuan,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-03-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 406, 419, 420, 467, 468, 471, 379 of the

Indian Penal Code.



The prosecution case as per F.I.R is that petitioner was appointed as Manager in the Patna Office of Saraswati Super Sales Private Limited. On 14.04.2021, an audit team was sent to the Patna Branch for stock verification. After verification, a shortage of 3185 pieces of clothes worth Rs. 22,30,000/- was found. On interrogation from other staffs, it was found that this petitioner was selling the clothes to his relatives and other persons for the last two years without the knowledge of the company. The petitioner has also embezzled Rs. 13,00,000/- by changing the bills for the year 2020-21 without informing to the company and thereby embezzled Rs. 35,50,000/- of the company.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. He has honestly performed his duty as a Manager of this company and he has not embezzled any amount of the company. A statement has been made in



para 3 of the petition that petitioners have no criminal antecedent.

Learned counsel appearing on behalf of the informant has submitted that petitioner being Manager of Patna Branch was the custodian of the company, hence, he was solely responsible for the embezzlement. The other staffs of the company have also alleged against the petitioner.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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