

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39612 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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Amritesh Kumar Singh Son Of Rajesh Kumar Singh Resident Of Village -
Alkapuri, P.S.- Bhagwanpur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Madhubani Town P.S. Case No. 64 of 2022 registered for the
offences punishable under Sections 420 and 406 of the Indian
Penal Code.

As per the prosecution, the informant alleged that this
petitioner misappropriated an amount of Rs.105166/- (one lakh
five thousand one hundred sixty six rupees) from RBL Finserve
Limited.

The main submissions advanced by the learned



counsel Mr. Ratanakar Jha appearing for the petitioner are that the petitioner was posted as Group Loan Officer at the informant's company between 20.05.2019 to 26.07.2021 and during that period no allegation of embezzlement was made against him and after serving a notice upon him by his company on 28.07.2021 the petitioner deposited Rs.6480/- in respect of his liability with regard to the alleged embezzlement.

Learned APP Mr. Ajay Kumar No. 2 appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. Though the instant matter relates to embezzlement of Rs.105166/- but considering the petitioner's custody period and his clean past history as mentioned in his petition and also the fact that the petitioner's case is at initial stage and as per the submission of learned counsel petitioner's trial has not commenced till now, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Madhubani Town P.S. Case No. 64 of 2022 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take strict action against him for cancellation of his bail bond.

(Shailendra Singh, J.)

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