

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41790 of 2022

Arising Out of PS. Case No.-220 Year-2019 Thana- BUXAR District- Buxar

-
1. Chandan Kumar Dubey Son Of Gopal Dubey Resident of Village - Barka Rajpur, P.S.- Simri, District - Buxar, Bihar.
 2. Rakesh Kumar @ Rakesh Kumar Pandey Son of Late Kanhaiya Pandey Resident of Village - Rampur, P.S.- Nawanagar, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners, informant and the State.

Petitioners apprehend arrest in registered for the offence punishable under Sections 420, 467/34 and other allied sections of the Indian Penal Code.

As per prosecution case, these petitioners along with other accused persons defalcated Rs. 20 lacs of the invested amount which was deposited by the investors in the company in which petitioner No. 1 was Branch Manager and petitioner No. 2 was Regional Manager.

Learned counsel for the petitioners submit that



petitioners are innocent and have falsely been implicated in the present case. It is submitted that these petitioners did not have access to the money. They were simply employees of the company in question and were responsible only for deposits during the period they worked in the company. There is no allegation against these petitioners of having any money transferred in the accounts of these petitioners. Petitioners are not concerned with the agreement of the depositors with the company nor they had any authority to use or manage the said money. As such, these petitioners are in no way involved in the defalcation of the amount in question. Petitioners have got clean antecedent.

Learned counsel for the informant opposes the prayer for bail application submitting that petitioner No. 1 was Branch Manager and petitioner No.2 was Regional Manager of the company in which more than Rs. 20 lacs was deposited by the informant and other investors and thereafter, they closed the branch and fled away.

Considering the nature of accusation and the materials available on record, prayer for bail of the petitioners 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)

navya/-

U		T	
---	--	---	--

