

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59331 of 2021

Arising Out of PS. Case No.-463 Year-2019 Thana- BALIYA District- Begusarai

=====

Kumar Vijay Srivastav @ Kumar Vijay Srivastava S/o Dileep Kumar
Shrivastav Resident of Village - Sonaili (Station Road), P.S. - Kadwa, District
- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 01-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406
and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
who is Regional Manager of Balia Branch, Fino Finance Bank
Private Limited alleges that petitioner was working in the said
organisation as Branch Manager and one Om Prakash Jha was
working as a Credit Officer, it is next alleged that they had
collected an amount of Rs. 17,25,235/- from the customers but
the said amount was not deposited.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that from perusal of Annexure-4 it would manifest that petitioner had deposited the entire money which he had collected from the customers as such the present FIR was instituted in haste.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that allegation is of committing misappropriation of money of innocent customers and the document on which the petitioner is relying at this stage cannot be said with certainty that the document is genuine.

Learned counsel for the petitioner rebuts the submission of the learned A.P.P. for the State and submits that petitioner is not evading the law and will cooperate in the investigation and will present himself as and when called by the Investigating Officer of the case.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten 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 Baliya P.S. Case No. 463 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving an undertaking before this Court that he will cooperate in the investigation and will present himself as and when required, is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

Rishi/-

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

