

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8384 of 2021**

Arising Out of PS. Case No.-35 Year-2016 Thana- ISHAKCHAK District- Bhagalpur

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SAMEER KESRI Son of Late Deep Narayan Kesri Resident of Village-
Nichupara, P.S.- Bachamari Adampur, Distt- Maldah (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 05-09-2022 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in registered for the
offences punishable under Sections 406, 420 and other allied
sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with
other accused persons misappropriated Rs. 2.50 crore of the
investors of the company and fled away after locking the office.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Informant and
petitioner both are employees of the said company and were not
indulged in such offence. From bare perusal of the FIR it is
apparent that the entire amount was deposited in favour of the
company so no case under Section 420, 467 and 468 of the IPC



is made out. It is stated in paragraph 3 of the bail petition that the petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that on the inducement of the petitioner depositors invested money with the company so petitioner cannot escape the responsibility.

Considering the specific allegation against the petitioner, his prayer for bail 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)

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