

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68087 of 2021

Arising Out of PS. Case No.-884 Year-2018 Thana- SASARAM NAGAR District- Rohtas

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Ajay Kumar Srivastava Son of Sarnath Srivastava Resident of Village -
Khutahan, P.S.- Aharaura, District - Mirzapur (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mithilesh Kumar Singh Son of Late Bharat Singh Resident of Village -
Obara Ratnag, Palamu (Jharkhand) at Present Posted as Sector Manager,
Service Centre, Sahara India at Sasaram, District - Sasaram (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha
For the Opposite Party/s : Mr. Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sasaram (T) P.S. Case no. 884 of 2018 instituted for the
offence under Sections 409 & 420 of the Indian Penal Code.

As per allegation in the FIR, the petitioner who was
posted as a cashier in the service center, Sasaram of Sahara
India had misappropriated the amount by using the amount in
his own use during the period of his service.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has falsely been implicated in this case. It is further submitted vide para 7 of the petition that the service center of Sahara India situated Sasaram maintains its daily and monthly records which are continuously by the Manager of Center being the head of institution and those records are being audited by the competent Auditor of the company every year and under such circumstance it cannot be believed by any prudent person that financial irregularities, if at all made right from 1.05.2010, could not be detected by the Senior Officer, Auditor and Sector Manager himself for five years from 01.05.2010 to 20.10.2015 and after 8 years from initial date and three years after last date when the petitioner left his working from 20.10.2015. He has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sasaram (T) P.S. Case no. 884 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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