

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70503 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- BARBIGHA District- Sheikhpura

KUNAL KUMAR S/o Binod Kumar R/o village - Pattal Bigaha, P.S. - Nirhat,
District - Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 409 and
420 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that petitioner being Branch
Manager, Vedika Credit Capital Limited, Barbigha Branch fled
away with Rs.3,40,455/- which the branch had collected and
when the informant along with officials of the company went to
the house of the petitioner, they were abused and threatened.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case and from perusal of the allegation as alleged in the FIR, it would manifest that the occurrence took place on 09.07.2020 and thereafter the informant along with other officials of the company visited the house of the petitioner where they were abused and threatened but still they chose not to institute an FIR and the FIR came to be instituted on 18.07.2020 i.e. after a delay of nine days from the date of occurrence without any plausible explanation. Learned counsel next submits that since the petitioner was having dispute relating to his salary which the company was not paying, as such, petitioner had a fight with the authorities of the company which led to filing of the present false case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that there is an inordinate delay in instituting the FIR, 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 Barbigha P.S. Case No. 174 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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