

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10242 of 2023

Arising Out of PS. Case No.-358 Year-2022 Thana- MOTIPUR District- Muzaffarpur

ANKIT BIHARI PANDEY Son of Shri Satyendra Kumar Pandey @ Satendra
Pandey R/v- Khajuri, P.S.- Panapur, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 381 & 409 of the Indian Penal Code.

According to prosecution case, the petitioner, being Deputy manager of the Nabfince Ltd, Motipur along with co-accused namely, Raushan Kumar are alleged to have theft of Rs. 15,40,149/- which was kept in the locker of the bank.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is only custodian of one of the two keys of the locker in which the money has been kept due to this reason he has falsely been implicated in the present case. Nothing has been recovered from conscious or constructive possession of the



petitioner rather the FIR has been lodged on the basis of suspicion. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused namely, Raushan Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 1.5.2023 passed in Cr. Misc. No. 4076 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 11.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motipur P.S. Case No. 358 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-2nd, Muzaffarpur (West).

(Sunil Kumar Panwar, J)

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