

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13334 of 2023

Arising Out of PS. Case No.-9 Year-2022 Thana- KHANPURA District- Samastipur

Mahboob Alam Son Of Md. Abul Hasan @ Abul Hasan R/O Village-
Gopalpur, Ward No.6, P.S.- Kalyanpur, District- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 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 420, 406, 409, 467, 468, 120-A(i) of the Indian Penal Code.

As per prosecution case, allegation against the petitioner is that he along with other co-accused persons after making conspiracy to each other putting forged signature of depositors withdrew Rs. 60,500/- from the different account of account holders.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and the complainant both are working as Agent with Sahara India and due to professional rivalry, this petitioner has



falsely been implicated in the present case. The allegation of withdrawal money/defalcation as alleged in the complaint took place in the years of 2012, 2013 & 2017 but the present complaint has been filed in the year of 2021. It is further submitted vide para 10 of the petition that the all transaction of deposits of premium of policy has been made by the complainant himself and not by the petitioner in Ilmasnagar Franchisee of Sahara India. However, the petitioner has no knowledge of illegal withdrawal/defalcation of depositor's money from Ilmasanagar Franchisee because he has no concerned with the said Franchisee of Sahara India. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 21.11.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khanpur P.S. Case No. 09 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 court of J.M.F.C., Samastipur.

(Sunil Kumar Panwar, J)

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