

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22009 of 2022**

Arising Out of PS. Case No.-92 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

MD YUSUF AZAD @ YUSUF RAZA S/o Fool Hasan Azad Resident of
Village- Tahirpur, P.S.- Runnisaipur, District- Sitamarhi.

... .. Petitioner.

Versus

1. The State of Bihar.

2. Prakash Kumar, son of Sushil Kumar, resident of Urja Nagar, Khagaul
Road, Danapur, Patna-801503. Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Masoom Alam

For the Opposite Party/s : Mr. Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

9 01-08-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State but in spite of valid service of notice

none is present on behalf of opposite party no.2

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 406, 420,

504, 323 & 506 of the Indian Penal Code.

3. The accusation against the petitioner is that he

collected a sum of Rs.1,99,835/- from various persons but did

not deposit the aforesaid amount in the account of the company.

4. It is submitted by learned counsel for the petitioner

that no such occurrence as alleged ever took place. He has been

falsely implicated in this case due to personal grudge and

enmity. It is further submitted that the entire prosecution is false,

absurd and vague. The informant has not produced any



documentary evidence, which shows the details of embezzlement of alleged amount. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Town P.S. Case No. 92 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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