

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31155 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- NAUBATPUR District- Patna

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Jaimit Kumar Das Son of Feku Das Resident of Village- Ghaghar, Ward No. 3, P.s.- Sherghati, District- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Pd. Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-01-2023 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The prosecution case, in short, is that the informant Sanjeev Kumar, the Branch Manager of Bharat Financial Enclusion Limited, Naubatpur (Bikram) Branch, Patna, alleged in the F.I.R. that the petitioner was posted in aforesaid Branch on the post of Field Assistant since one year and during the period of 10.08.2021 to 26.11.2021, he collected Rs. 2,65,226/- (Two lacs



sixty five thousand two hundred twenty six only) from different customers as per the list mentioned in the F.I.R. for closing the loan account and weekly collection but he did not deposit the aforesaid amount in the Branch. It is further alleged that he also accepted his guilt after interrogation and thereafter fled away to his village without any information.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. Learned counsel for the petitioner outrightly submits that he is ready to deposit Rs. 2,65,226/- in favour of the persons as mentioned in the First Information Report (34 persons) by way of demand draft.

After depositing the aforesaid amount by way of demand draft, the learned Court below is directed to hand over the amount in question to the 34 persons as mentioned in the First Information Report.

Considering the facts and circumstances of the case, let the petitioner, above named, be released 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 Court below where the case is pending in connection with Naubatpur P.S. Case No. 07 of 2022, G.R. No. 46 of 2022, with the following conditions :-

- (1) The petitioner shall deposit Rs. 2,65,226/- by way



of demand draft in favour of the 34 persons as mentioned in the F.I.R. before the learned Court below at the time of furnishing bail bond.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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