

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32315 of 2022**

Arising Out of PS. Case No.-558 Year-2019 Thana- SIKARPUR District- West Champaran

MANVENDRA SINGH @ MANVENDRA KUMAR SINGH S/o Late
Bhartendu Singh R/o village- Purani Bazar Ward No. 9, P.S.- Shikarpur,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Manindra Kishore Singh, Advocate
For the S t a t e	:	Mr Dinesh Singh, APP
For the EOU	:	Mr V N P Sinha, Sr Advocate with Mr Vijay Anand, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 19-01-2023

Heard learned counsel for the petitioner, learned senior counsel for the Economic Offences Unit (for brevity, **EOU**) and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Shikarpur Police Station (for brevity, **PS**) Case No 558 of 2019 registered for the offence punishable under Sections 406, 420, 409/34 of Indian Penal Code (for brevity, **IPC**).

It is alleged that the informant had deposited an amount of Rs 1,60,000/- expecting a return of Rs 1,96,854/- which was due to be paid in December, 2019. On the due date, she learnt that the office is no longer existing and has lodged the instant case alleging that the petitioner, who was an employee of the Swarn India Multi State Credit Cooperative Society Limited Bank (for brevity, the **Bank**), is party to the misappropriation of the funds and liable for punishment under the above mentioned sections of IPC.

Learned counsel for the petitioner submits that even



before the alleged deposit was made, the petitioner had resigned from the Bank which is evident from Annexure 2. His resignation was accepted on 05.01.2017. The Bank in fact was a Bank of one of the co-accused Anil Kumar Choudhary. Petitioner has become victim of the circumstance. In similar way, he has been made accused in three other cases. In the instant case, he is in custody since 08.02.2022.

Learned senior counsel appearing for the EOU and the learned APP have opposed the prayer for bail. It is stated that petitioner is one of the named accused, who was also an employee of the Bank.

Having considered the rival submissions, manner of implication, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran at Bettiah in Shikarpur PS Case No 558 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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