

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37186 of 2022

Arising Out of PS. Case No.-649 Year-2021 Thana- ARARIA District- Araria

RAHUL KUMAR SON OF MADAN YADAV RESIDENT OF KARMELI
BAZAR, WARD NO. 16, P.S.- KUMARKHAND, DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP.
Mr. Ravi Prakash Dwivedi, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 17-03-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

Allegedly, petitioner is said to have grabbed the sum of Rs. 6,15,070/- from 287 customers for the month of July, 2021.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case with ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner joined the Company on 19.08.2019 but he did not work from 18.03.2020 due to Covid-19 pandemic for a long period. Due to this reason, no salary was paid to him. Then, he resigned from his job. He further



submits that on perusal of the suspension letter dated 14.07.2021 of the petitioner, it appears that only claim of Rs. 54,460/- has been made but on perusal of the FIR, it appears that claim of Rs. 6,15,070/- was made against the petitioner. He further submits that there is no complain from any customer against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the complainant oppose the prayer for bail and submit that the petitioner is involved in this case and have grabbed the money from the customers.

Considering the facts and circumstances of the case as well as argument of the parties, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail and the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Anjani Kumar Sharan, J)

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