

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49685 of 2023

Arising Out of PS. Case No.-1072 Year-2022 Thana- MADHEPURA District- Madhepura

LAL MOHAN KUMAR SON OF GOPAL MANDAL R/O-LALU TOKEN
JALWAR, P.S.-GAMHARIYA, DISTT.-MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-08-2023 Heard Mr. Ranjay Kumar Singh, learned counsel

for the petitioner and Mr. Ram Sumiran Rai, learned

Additional Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection
with Madhepura P.S. Case No. 1072 of 2022 dated
11.11.2022 registered for the offence punishable under
Sections 406 and 420 of the Indian Penal Code.

3. As per the First Information Report the
petitioner being the Field Development Officer of *Ashirwad*
Microfinance Ltd. Branch, Madhepura, collected the EMI
from the 15 female borrowers and did not deposit the same
to the Microfinance Company and thereby misappropriated
a sum of Rs.27,078/-.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to some dispute with the Area Manager of the Company. He further submits that during course of investigation none of the borrowers i.e. female members has stated that the petitioner has collected EMI and did not deposit in the Company.

5. Regard being had to the submission made by the parties and taking into consideration the allegation made in the First Information Report, I am inclined to grant anticipatory bail to the petitioner subject to the condition that a sum of Rs.27,078/- shall be deposited by the petitioner before the Court of learned Chief Judicial Magistrate, Madhepura. The aforesaid amount so deposited shall be kept in the interest bearing instrument by the Nazir of the Civil Court which would be subject to the final outcome of the present case.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail with the aforesaid condition on furnishing bail bonds of



Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 1072 of 2022, subject to the further condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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