

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52534 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- AMARPUR District- Banka

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Jitendra Kumar S/O Laxman Jha R/O Village- Chandpur Athora, P.S-
Chandpur, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, the petitioner and other co-accused persons withdraw Rs. 5,60,000/- illegally from the account of 17 different account holders. The petitioner and the co-accused persons were the employees of the alleged company.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is only an employee of Finserv Ltd. and its office is situated at Amarpur in the District of bank and the petitioner has no role in the said Bank, he is to perform the forms to be filled up and endorse it to the superior officer to the bank. He submits that some of the account holders



have said in the F.I.R., that they have no grievance and money has been refunded to the account holders which is evident from the F.I.R. He further submits that similarly situated other co-accused persons have already been granted bail by different Coordinate Bench of this Court vide order dated 16.02.2023 passed in Cr. Misc. No. 50243/2022 and vide order dated 23.06.2023 passed in Cr. Misc. No. 7909/2023. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Amarpur P.S. Case No.38/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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