

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57049 of 2022

Arising Out of PS. Case No.-187 Year-2022 Thana- SAMASTIPUR District- Samastipur

SHUBHAM KUMAR KARN S/O DILIP KARN @ DILIP KUMAR KARN
RESIDENT OF VILLAGE-DAMODARPUR MAHULI, P.S.- SARAI
RANJAN, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 22-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Samastipur Town P.S. Case No. 187 of 2022, registered for the offence punishable under Sections 467, 468, 471, 420 and 406 of the Indian Penal Code.

The allegation is regarding the petitioner having been working as Credit Executive in the company of the informant , namely, Sri Ram City Union Finance Ltd., with effect from the month of February, 2018 and it is alleged that he had collected the money from the collections' staff, but had not deposited with the finance company in question, resulting in embezzlement of a sum of Rs. 7,52,028/-.



The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the allegation levelled against the petitioner is false, inasmuch as there is no evidence in the form of cash register etc. to connect the petitioner with the embezzlement of the aforesaid amount in question, however, the petitioner, with a view to show his bonafides, is ready to deposit a sum of Rs. 3,00,000/-, nonetheless, the same be made subject to the final outcome of the connected criminal case.

Per contra, the learned APP for the State and the learned counsel appearing for the informant though have vehemently opposed the prayer for bail, but have submitted that the informant be granted liberty to recover the aforesaid embezzled amount by resorting to recovery proceedings as well, apart from pursuing the present case case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the petitioner, in order to show his bonafides, is ready to deposit a sum of Rs. 3,00,000/- with



the Nazarat of the learned Civil Court at Samastipur, I deem it fit and proper to direct for admitting the petitioner to the privilege of anticipatory bail, subject to him producing proof of deposit of the aforesaid sum of Rs. 3,00,000/- with the Nazarat of the learned Civil Court at Samastipur, within a period of eight weeks from today and further subject to such other conditions, as may be deemed fit and proper to be imposed by the learned Court of CJM, Samastipur, in connection with Samastipur Town P.S. Case No. 187 of 2022.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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