

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59305 of 2023**

Arising Out of PS. Case No.-558 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Rajesh Kumar Verma, Male, aged about 30 years, Son of Shankar Kumar Verma, Resident of Ward No. 12 in Front of Court Station, P.O. Purnea, P.S. K. Hat, District- Purnea, Pin Code-854301.
2. Sumit Kumar Suman, Male, aged about 26 years, Son of Baleshwar Sharma, Resident of Village- Kailutol, P.O.- Ladugarh, P.S. Baharakhoti, District- Purnea, Pin Code- 854203.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                            |
|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Mr. Raushan, Advocate      |
| For the Opposite Party/s | : | Mr. Satya Nand Shukla, APP |
| For the Informant        | : | Mr. Vatsal Verma, Advocate |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      11-10-2023                      Heard Mr. Raushan, learned counsel appearing on behalf of the petitioners, learned Additional Public Prosecutor for the State and Mr. Vatsal Verma, learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with K. Hat (Sahayak) P.S. Case No.558 of 2023, registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

3. Allegedly the petitioners who happen to be Senior Cashier and Accountant of the Aditya Vision Limited, Purnea in connivance with Rakesh Kumar, Store Manager, illegally took



the cash and company goods disappeared from the shop and godown and sold it outside causing loss of Rs. 19,00,600/-.

4. Learned counsel for the petitioners submits that from the FIR, it is evident that the entire thrust of allegation has been levelled against Rakesh Kumar, who was the in-charge of the godown and, in fact, he has admitted this fact that he has misappropriated the money for his personal use. It is also the fact that after having come to know about the involvement of co-accused Rakesh Kumar in misappropriation of money during the course of audit, he has given undertaking that he will repay the amount by 30.04.2023 but the same has not been returned to the company, resulting into the institution of the FIR. He next submits that petitioners have fair antecedent and they undertake that they will fully cooperate in the investigation or in the proceeding of the Court, apart from the fact that, in case, their physical appearance would be required during the course of investigation, they produced themselves before the investigating officer.

5. On the other hand, learned counsel for the State as well as informant vehemently oppose the bail application and submits that the connivance of the petitioners cannot be ruled out as they were Senior Cashier and the Accountant of the



Godown/shop and were well acquainted with all the thieving which was going on at the Purnea store.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation against the petitioner levelled in the FIR and the admission of the Store Manager, couple with the fair antecedent of the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 558 of 2023, subject to the conditions laid down in Section 438 (2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

**(Harish Kumar, J)**

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