

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69652 of 2021

Arising Out of PS. Case No.-527 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

RAHUL JHA Son of Baikunth Jha Resident of Village- Madhubani Patahi,
P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nachiketa Jha
For the State	:	Mr. Matloob Rab
For the O.P. No.2	:	Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 13-07-2023 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 420, 406/ 34 of the Indian Penal Code.

As per the prosecution case, this petitioner was appointed to work as collecting agent in the motor cycle agency of the informant. It is alleged that this petitioner collected Rs. 99, 60,000/- from different customers and deposited the same in his account instead of depositing the money in the account of the agency.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that petitioner has transferred Rs.



68, 16, 207/- through his Axis bank account and Rs. 7,79,516/- through his ICICI bank account in the account of the informant's agency and rest of the amount has been deposited in cash on the counter of the agency and, therefore, he has not defalcated any amount. Petitioner has got clean antecedent.

Learned counsel appearing for the O.P. No.2 opposes the prayer for anticipatory bail and submits that till date the petitioner has not deposited the entire money collected from the customers. From paragraph 23 of the case diary it appears that petitioner has collected money from different customers and given them duplicate receipts of agency and then has not deposited the money in the account of the agency and thus caused huge loss to the agency.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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