

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69775 of 2022

Arising Out of PS. Case No.-416 Year-2021 Thana- BHABHUA District- Kaimur (Bhabua)

PRADEEP KUMAR MAURYA @ PRADEEP MAURYA Son of Suresh
Maurya R/V- Dabariya, P.S- Dhanapur, Dist- Chandauli (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2023 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 Bhabua P.S. Case No. 416 of 2021, registered for the offence punishable under Sections 420 and 409 of the Indian Penal Code.

The allegation is regarding the petitioner, who was an employee of Svatantra Microfin Pvt. Ltd., a non Banking Finance Company, having received deposits from the females of the area, however, he failed to deposit the same thereafter, with the finance company in question, resulting in misappropriation of a sum of Rs. 2,60,595/- by the petitioner.

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 petitioner has annexed the entire accounts with the present petition to show that he was working with the aforesaid company till 31.12.2021 and had deposited the entire amount received / collected by him from the investors. Nonetheless, it is submitted that the petitioner is ready and willing to deposit 50% of the alleged misappropriated amount i.e. a sum of Rs. 1,30,000/- to show his bonafides and for the purposes of grant of the privilege of anticipatory bail, however, subject to the final outcome of the aforesaid criminal case in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into the account the materials available on record as also considering the fact that in order to show his bonafides, the petitioner is ready and willing to deposit a sum of Rs. 1,30,000/- for the purposes of grant of the privilege of anticipatory bail, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail subject to deposit of the aforesaid sum of Rs. 1,30,000/- with the Nazarat of the Ld. Civil



Court at Kaimur.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the Ld. court below within a period of six weeks from the date of receipt/production of a copy of this order, subject to producing proof of deposit of a sum of Rs. 1,30,000/- before the Nazarat of the Ld. Civil Court at Kaimur and on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua, District-Kaimur, in connection with Bhabua P.S.Case No. 416 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the aforesaid sum of Rs. 1,30,000/- shall be deposited by the petitioner with the Nazarat of the learned Civil Court at Kaimur within a period of six weeks from today, which shall be kept in a reckoning fixed deposit and shall be subject to the final outcome of the aforesaid criminal case in question.

(Mohit Kumar Shah, J)

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