

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69638 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- KARAKAT District- Rohtas

RITESH KUMAR @ RITESH KUMAR DUBEY Son of Jaiendra Dubey @
Jayendra Dubey R/v- Bardiha, P.S.- Karakat, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

Allegation against the petitioner is that he has misappropriated an amount of Rs. 14,01,000/- (Fourteen Lakhs one thousand only).

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that from perusal of pass-book, it is crystal clear that the payment was made to *Amit Kumar* who is son of present *Mukhiya* and *Jyoti Enterprises* under



proprietorship of *Bahu* of present *Mukhiya*. He submits that the petitioner has resigned from the said post on 15.10.2018. He further submits that petitioner have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the petitioner has not completed the whole work. Hence, he does not deserve anticipatory bail.

Considering the arguments of the parties and nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Karakat P.S. Case No. 97/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, If the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, learned Court below would pass the order, preferably, on the same day, without being prejudiced to the present order.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

