

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13403 of 2024

Arising Out of PS. Case No.-313 Year-2022 Thana- CHANPATIA District- West Champaran

Raviranjana Kumar @ Ravi Ranjan, Son of Sudhakar Ram, R/o Village-
Karanmeya, Ward No. 9, P.O.- Laigarh, P.S.- Bettiah (Muffasil), District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey, Advocate
For the State	:	Mr.Yogendra Kumar, APP
For the O.P.No. 2	:	Mr. Majid Mahboob Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the opposite party
no.2.

2. In the present case, the petitioner is apprehending
his arrest in connection with Chanpatiya P.S. Case No. 313 of
2022 registered for the alleged offences under Sections 420, 406
and 409 of the Indian Penal Code.

3. As per prosecution case, the petitioner used to work
in a Non-banking financial company, namely, Bharat Financial
Inclusion Limited, which used to work in the field of providing
loan to poor ladies for self employment and for that the
petitioner was authorized to accept payments in installment
from the beneficiaries. The allegation against the petitioner is



that he and other co-accused person, namely, Raj Kumar defalcated certain amount, which was deposited by the members. The allegation against this petitioner is for defalcation of Rs.4,64,143/- which he received from 36 members, whereas the co-accused defalcated Rs.42,600/-.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. None of the members has taken the name of the petitioner who received cash and did not deposit the same with the company. The learned counsel further submits that the petitioner has been made scapegoat in this case because of differences with the informant Branch Manger. None of the members/beneficiaries has made any complaint against the petitioner. In the circumstances, no offence under Sections 420, 406 and 409 IPC is made out against the petitioner. The learned counsel further submits that however, the petitioner is willing to deposit Rs.4,64,143/- in installments in the learned court below without prejudice of his rights and subject to outcome of the case.

5. Learned APP as well as learned counsel appearing on behalf of the opposite party no.2 vehemently oppose the submission made on behalf of the petitioner.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation and the possibility of false implication and further considering the willingness of the petitioner to deposit the alleged defalcated amount, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 313 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) The petitioner will deposit the aforesaid amount of Rs.4,64,143/- in the learned court below in six equal installments and he will file a receipt showing deposit of first installment at the time of furnishing his bail bond and rest five installments will be deposited by the petitioner after his release within a year. In failure to deposit rest five installments within the



stipulated period, the bail bond of the petitioner will be liable to be cancelled. However, this payment is subject to final outcome of the case against the petitioner and is without prejudice to his rights.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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