

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53898 of 2023

Arising Out of PS. Case No.-1867 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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BHARAT KUMAR PODDAR @ BHARAT PODDAR Son of Shivnarayan
Poddar RESIDENT OF VILLAGE LABHGAON PS GANGAUR DISTRICT
KHAGARIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arvind Kumar Pankaj Son of Late Jageshwar Chaurasia Assistant Branch
Manager, Sarvoday Proficient Nidhi Ltd. at Samastipur, West Ali Girl High
School Kahsipur, Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rajiv Nayan, APP
Mrs.Vaishnavi Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. Petitioner is apprehending his arrest in connection with
C.R. No.1867 of 2021, registered for the offence punishable u/s
420 of the IPC.

3. The petitioner along with other co-accused persons are
alleged to have embezzled the amount of Rs.1,72,03,225/- of the
customers, who deposited their money in the Company
Sarvoday Proficient Nidhi Ltd.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. It is submitted that after investigation, the police has filed final form against the petitioner but on the protest petition, cognizance was taken by the learned Court below. It is further submitted that there is no specific overt act against the petitioner and petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail. Learned counsel for the O.P. No.2 has filed a counter-affidavit, wherein, it is stated at para-11 that the Court issued the process of Section 82 of the Cr.P.C. and thereafter, the process of Section 83 of the Cr.P.C. against the petitioner. It is further submitted that anticipatory bail applications of similarly situated co-accused Hareram Sah and Amrendra Bharti were dismissed by co-ordinate Benches of this Court on 23.05.2023 in Cr. Misc. No.27050 of 2023 and 07.07.2023 passed in Cr. Misc. No.27900 of 2023.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the



learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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