

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60371 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- BHAGWANPUR District- Begusarai

Niwas Kumar son of Mohan Singh R/o Village and P.O-. Dumari, P.S. -Roh,
District -Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwanpur P.S. Case No. 163/2024 dated 07.06.224 registered for the offence punishable u/s 420, 409, 406, 467, 468 and 471 of the Indian Penal Code.

3. As per the prosecution case, during the internal audit in Bhagwanpur Branch, while investigating the loan, it was found that two employees, loan officer Nitish Kumar and the Branch Manager Nivas Kumar (the petitioner), have given wrong loans to women customers by tampering the bank pass book, Aadhar card and voter ID card of the customers against



the rules of the company and gave Rs. 35,000 to Rs. 45,000 of Spandana Spruti Financial Limited Company to 62 women. Further, the petitioner Nivas Kumar and the co-accused Nitish Kumar are alleged to have taken the Aadhaar cards and other documents of unmarried girls studying in schools and colleges and temper the documents and they used to deposit the money in their bank accounts. The petitioner and the co-accused, Nitish Kumar have got a total loan of Rs. 24,51,000/- and have collected Rs. 4,03,505/- from rural women as loan EMI and have embezzled a total of Rs. 28,54,505/- and are delaying in returning the said amount.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that niether any consumer nor any account holder of Spandana Sfurti Financial Ltd. Company has filed any complaint against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the



petitioner is Branch Manager of the said company and the specific allegation of embezzlement of money is against the petitioner and the co-accused person.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being specific against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Bhagwanpur P.S. Case No. 163/2024 pending in the court of learned Chief Judicial Magistrate, Begusarai.

7. Learned court below is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

atul/-

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

