

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72754 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- KISHANGANJ District- Kishanganj

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MANKI CHAND KUMAR @ MANIK CHAND KUMAR SON OF
RAJDEV PRASAD YADAV RESIDENT OF MOHALLA -
RAHIJAGATPUR, NEAR HANUMAN MANDIR, WARD NO.13,
LAKSHMIPUR, P.S. - BIHARIGANJ, DISTRICT - MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned APP

for the State.

2. Petitioner is apprehending his arrest in connection with
Kishanganj P.S. Case No.05 of 2022, registered for the offence
punishable u/s 379, 420, 406, 407, 120(B) of the IPC.

3. Allegedly, the petitioner is said to have been found
indulged in committing defalcation of Rs.6,81,000/-. The duty
of the petitioner and other co-accused was to fill cash in
different ATMs.

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. No such occurrence in the manner as alleged has ever



taken place. It is submitted that the petitioner was an employee of SIS Cash Services Pvt. Ltd. and he has resigned from service on 19.11.2021 and on 26.11.2021, an audit was done and nothing was found wrong against the petitioner. It is submitted that the petitioner cannot be held responsible for any alleged shortage after 19.11.2021. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is allegation against the petitioner.

6. Considering the aforesaid facts and circumstances and the nature of allegation, 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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