

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85557 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- GOGRI District- Khagaria

1. VIJAY SAH SON OF LATE RAJENDRA SAH R/O VILLAGE- MALIA, P.S. GOGARI, DIST.- KHAGARIA.
2. PANKAJ PANDIT @ PANKAJ KUMAR SON OF NIRANJAN PANDIT R/O VILLAGE- MUSKIPUR, P.S. GOGARI, DIST.- KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Bhardwaj
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan
For the Informant	:	Ms. Srithi Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2024 Heard learned counsel for the parties.

2. Vide order dated 16.01.2024, the bail application as against the petitioner no.1 was dismissed as withdrawn. As such, now this application is being heard with regard to the petitioner no.2 only.

3. The petitioner no.2 apprehends his arrest in a case registered for the offence punishable under Sections 323, 406, 409, 420, 120(B) of the Indian Penal Code.

4. As per the FIR, the petitioner and other co-accused persons are said to have hatched a conspiracy and defalcated the amount of Rs.2,10,67,993/-.

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



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. There is no specific overt act against the petitioner. He further submits that petitioner is the cashier of the company in which the informant and one Manoj Chaurasiya are directors. There is a dispute between the parties. Petitioner no.2 has no criminal antecedent.

6. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. It is submitted by learned counsel for the informant that the anticipatory bail application of co-accused Manoj Chaurasiya has been rejected by a co-ordinate Bench of this Court and in that view the present anticipatory bail application is also not fit for grant of bail to the petitioner.

7. Having regard to the facts and circumstances of the case as well as considering that there is a dispute between the Directors of the company in question, let the above named petitioner no.2, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Gogari



P.S. Case No.263 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The petitioner no.2 is directed to co-operate in the investigation/trial.

(Anjani Kumar Sharan, J)

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