

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52327 of 2024**

Arising Out of PS. Case No.-118 Year-2024 Thana- LALGANJ District- Vaishali

Vikash Kumar @ Vikash Singh Son of Chandra Bhushan Singh Resident of  
Village- Gandhi Ashram, P.S.- Town, District -Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjit Kumar S/o Late Hare Ram Singh Village - Supaul, P.S.- Supaul,  
Distt.- Supaul

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                            |
|----------------------------|---|----------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. N.K. Agrawal, Sr.Adv.<br>Mr. Rajeev Ranjan No. II<br>Mr. Kumar Rajdeep |
| For the Opposite Party/s : |   | Mr.Raj Kishor Singh, APP<br>Mr. Kumar Kaushlendra, Adv.                    |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      08-01-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence under Sections 379, 420 of the IPC.

3. As per the prosecution case, this petitioner, who  
was employee in the company of informant for the last 12 years  
taking advantage of the trust, defalcated the amount of Rs. 88  
lakhs of the company during the period from 20.09.2023 to  
05.04.2024.

4. Learned counsel for the petitioner submits that  
petitioner has been falsely implicated in this case only on  
suspicion. There is no chit of paper on record in support of the  
allegation. He further submits that the alleged vehicle, on which



bags of foods were supplied, was purchased in February, 2024, which itself falsifies the allegation made in the F.I.R. Neither any audit report has been filed nor petitioner has played any role in the alleged defalcation of money. As a matter of fact, the name of the petitioner has been dragged in this case merely because he was representing employee unit in the company and demanding enhancement of salary. It was not the duty of petitioner to deal with cash transaction of the company. As per order and direction of the company, he simply supplied the feeds to the parties. Petitioner claims clean antecedent.

5. Learned counsel for the opposite party no. 2 vehemently opposes the prayer for anticipatory bail and submits that petitioner has been appointed in the company on the post of Chicks @ Feed Dispatcher and he was regularly being paid his salary. He further submits that in the half yearly stock audit of the company in the month of April 2024, it was found that in the physical counting there was shortage in the stock of amount amounting to Rs. 88,15,298/-.

6. Considering the rival submissions of the parties, perusing the materials available on record, nature of dispute and clean antecedent of the petitioner, his prayer for anticipatory bail is allowed.



7. Accordingly, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged 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 C.J.M., Vaishali at Hajipur in connection with Lalganj P.S. Case No. 118 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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