

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58259 of 2024

Arising Out of PS. Case No.-395 Year-2024 Thana- KANKARBAG District- Patna

Amit Kumar, S/o Sanjay Kumar @ Sanjay Kumar Soni, Resident at Care of
Aditya Narayan Singh, North Krishna puri, B15, PS- Budha colony, District
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ravindra Kumar, Advocate Ms. Minakshi Kumari, Advocate Mr. Munish Kumar, Advocate Mr. Munna Raj, Advocate
For the Informant	:	Ms. Archana Sinha @ Archana Shahi, Sr. Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

8 07-03-2025 Heard Mr. Ravindra Kumar, learned counsel for the
petitioner, Ms. Archana Sinha @ Archana Shahi, learned senior
counsel for the informant and Mr. Ram Priya Sharan, learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 420 and
408 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner was
employed as a salesman at Ratnalaya Jewellers. He took some
jewellery under the pretext of showing it to the customers. After
that the petitioner stopped to come to work. It has been
submitted that the petitioner has embezzled jewellery worth Rs.



57,11,702/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. It is also submitted that no jewellery or any other property has been recovered from the possession of the petitioner. It has further been submitted that the recovered gold loan document from Mannapuram Finance Limited mentions as gold chain with a weight of 11.8 grams and it shows no relation between the loan and embezzlement. It is also submitted that the approved memos were generated on different dates. It has also been submitted that the petitioner has been implicated by the manager but manager has not given his statement during investigation. Petitioner is a daily wager hired by the manager to save his own skin. The learned counsel for the petitioner has submitted that there is no evidence in entire investigation that the petitioner has taken any gold from the informant.

5. As against this, the learned counsel for the informant has submitted that there are documents to show that he has taken gold jewellery from Ratnalaya Jewellers for showing them prospective customers, but neither the consideration nor the jewellery was returned.



6. The learned counsel for the informant has also filed certain receipts to show that the petitioner has taken loan from them, but all the documents are of the informant.

7. In this case, the matter was referred to Mediation Center, but it could not be settled over there. From perusal of the entire case records, it transpires that it is a case of misunderstanding between a employee and his employer, but one thing is very peculiar in this case that the owner of the shop (the establishment) has neither filed the case nor has given his statement before the police. The learned counsel for the petitioner has also submitted that this false allegation has been raised against the petitioner so that insurance may be claimed, as the shop is insured. It is further submitted that the petitioner is languishing in judicial custody since 13.06.2024.

8. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

9. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Kankarbagh P.S. Case No. 395 of 2024 on furnishing bail bond
of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Judicial Magistrate,
1st Class, Patna.

(Ashok Kumar Pandey, J)

lata/-
Sudhanshu/-

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