

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64852 of 2024

Arising Out of PS. Case No.-392 Year-2021 Thana- PARBATTa District- Khagaria

Amit Kumar Son of Jay Narayan @ Jay Narayan Sah Resident of Village -
Adampur, P.S. - K. Nagar, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yashwant Kumar S/o Lal Babu Singh R/o village-Himmatputti, P.O.-
Karnoul, Dist-Muzaffarpur At Present- Samasta, Micro Finance Ltd,
Parbatta Branch, Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 19-03-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending his arrest in

connection with Parbatta P.S. Case no. 392 of 2021 instituted

for the offence under Sections 419, 420, 467, 471 of the

Indian Penal Code.

3. Thrust of accusation is that petitioner along with

other co-accused persons, being the officials of Samasta

Microfinance Limited, a non-banking finance company,

registered with Reserve Bank of India having function to



provide loan to ladies have embezzled Rs. 14,08,322/- (fourteen lakhs eight thousand three hundred twenty two rupees) by manipulating forged document of 72 ladies and sanctioned/ granted loan after hatching conspiracy.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner was working as Branch Credit Manager (BCM) and he has no concern in loan process. It is further submitted that petitioner had worked in the said branch from 30.01.2019 to 14.10.2020 and thereafter, he resigned on 09.04.2021 and his resignation was accepted on 14.06.2021. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that it is specifically alleged in the F.I.R. that from 30.01.2019 to 19.03.2021, petitioner along with other co-accused persons, after hatching conspiracy, have embezzled the aforementioned amount. From perusal of the case diary vide para 4, 11, 12, 35, 59 and 124, it is evident that witnesses



have supported the alleged embezzlement. In para 124, the case has been found true against the petitioner and other co-accused persons.

6. Having heard the learned counsel for the parties, considering the nature of allegation and after going through the facts and circumstances of the case, the role of petitioner as Branch Credit Manager in embezzlement of public money cannot be overlooked. So, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before learned court below and pray for regular bail, which may be considered by the court below on its own merit, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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