

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89879 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- BAJPATTI District- Sitamarhi

Indrajit kumar @ Indrajeet Kumar S/O Radheshyam Singh R/O Village -
Bangaon, P.S- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP
For the Informant : Ms. Shalini, Advocate
Mr. Khalid Quraishi, Advocate
Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-02-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bajpatti P.S. Case no.132 of 2024 registered under sections 406, 409, 420 and 120B of the Indian Penal Code.

3. As per the prosecution case, the informant states that he had opened an R.D Account in Bangaon Bazar Post Office under Bajpatti Police Station in the District of Sitamarhi and was depositing Rs.6000/- every month in the said account. It subsequently transpired that the total amount deposited had been defalcated and the informant states that the eight named accused persons including the petitioner herein were involved in



the defalcation. The informant further states that the amount of four other persons against five different accounts, details of which have been given in the FIR, were also defalcated by these accused, the total defalcation sum going to Rs. 7,02,000/-.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It is submitted that though he is a resident of Village Bangaon, however it is categorically asserted that he was never posted in the Bangaon Bazar Post Office where the alleged defalcation is said to have taken place. The cause of false implication of the petitioner is only that the wife of the petitioner was working as an agent in the said Post Office. No amount has been traced to the petitioner or to his account. No confessional statement was given by him before the police and the alleged confessional stated is inadmissible. The petitioner is in custody since 2.8.2024 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against him that he along with others were involved in defalcation of the sum of Rs. 7,02,000/- of the informant and others. It is for this reason



that as per instruction received, a separate FIR has also been registered against him by the Post Office and the investigation is proceeding. It is not a case for grant of bail.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, there being no specific allegation against the petitioner, the petitioner never having been posted at Bangaon Bazar Post Office, his having remained in custody for more than 6 months since 2.8.2024 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bajpatti P.S. Case no.132 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Pupri at Sitamarhi.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

