

GAHC010243642024



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : AB/3038/2024

SHRI PRABHAT HAZARIKA
S/O LATE ANANDA HAZARIKA, R/O VILLAGE MOHANBARI (ATHABARI
GAON), P.O. MOHANBARI, PS. LAHOWAL, DISTRICT DIBRUGARH, ASSAM,
PIN 786012

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED, MS. D GOSWAMI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 04.12.2024

Heard Ms. A. Das, learned counsel appearing for the petitioner and Mr. K. Baishya, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioner in respect of Dibrugarh P.S. Case No. 619/2023.
3. The Assistant General Manager and Zonal Manager of Indian Bank had lodged an FIR

before police alleging that the petitioner being the Head Cashier and another employee, namely, Monuj Basfore of the said bank used to cheat people. Giving some examples, the informant has stated that whenever a customer had withdrawn a cash amount of Rs. 90,000/- from the bank, he was given only Rs. 20,000/-. Similarly, customers who have put their thumb impression to withdraw the money, they were also not given the actual amount.

4. It is further alleged that some amounts of money were transferred to different bank accounts. The informant has disclosed that some other persons might also be involved with the present petitioner.

5. Mr. Baishya has submitted that the case diary reveals some persons, who are not employees of the bank, are also involved in this case. Therefore, a thorough enquiry is required.

6. This Court finds force in the submissions made by Mr. Baishya. Therefore, it is not the case for exercising the power u/s 482 of the BNSS, 2023.

7. With the aforesaid direction, the present bail application stands dismissed and disposed of accordingly.

The CD shall be returned.

JUDGE

Comparing Assistant