

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21136 of 2015

Arising out of PS.Case No. -414 Year- 2014 Thana -MARHAURA District- SARAN

Bharat Prasad, Son of Late Ganesh Prasad, resident of Mohalla - Bank Colony, South of Bhagwan Bazar Thana, P.S., - Bhagwan Bazar, District - Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar No-1, Advocate.

For the Opposite Party : Mr. Ashok Kr.Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Marhaura P.S. Case No. 414 of 2014 for the offences instituted under Sections 409, 420, 467, 468, 471 and 120(B) of the IPC.

The prosecution story, in brief, is that the informant has a Saving Bank A/C No. 2559000100046556 of PNB, Mirjapur, Chapra, in which total balance on 07.11.14 is Rs. 8, 23,661/- and the informant had withdrawn Rs. 45,000/- on 22.11.14, Again Rs. 45,000/- on 25.11.14 and Rs. 40,000/- on 01.12.14 from his account and when the informant demanded the balance print out



then the Cashier and Branch Manager said that the machine is not in order. He further said that once again on 24.12.14 when he went to the Bank for withdrawal of Rs. 20,000/- then the Cashier told him that only balance is Rs. 3661.21 then he made complaint to the Branch Manager then the Branch Manager and Cashier said that Rs. 2,90,000/- on 14.11.14 and Rs. 4,00,000/- have been withdrawn on 16.11.14 through Cheque Nos. 164601 and 164602 respectively.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to mistake of fact. The petitioner is not the Branch Manager of the Bank. It is further submitted that the petitioner is ready to deposit an amount of Rs. 30,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances it is directed that the petitioner shall deposit an amount of Rs. 30,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in

connection with Marhaura P.S. Case No. 414 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)