

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4675 of 2015

Subodh Kumar Sinha son of Late Sachidanand Pandit resident of Baignabad, P.S. Bihar (Bihar Sharif), District - Nalanda, the then Branch Manager of State Bank of India, Hisua Branch, Nawada, at Present Posted as Accountant of ADB, Branch of State Bank of India, Lakhisarai, Police Station - Lakhisarai, District - Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Akbar Ali(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-02-2015

Heard learned counsels for the petitioner,

State and the informant.

The petitioner is languishing in custody since 18.12.2014 in a case registered for the offences punishable under Sections 409 and 420/34 of the Indian Penal Code.

It is alleged that the account of Upgraded Middle School, Chhoti-Pali is in the SBI, Hisua Branch, but subsequently the withdrawal of Rs.2,82,000/- was made by the then Headmaster Vinay Kumar by forging the signature of the Secretary of Shiksha Samiti, namely, Bindu Devi.

It is submitted by learned counsel for the petitioner that the encashment was made from SBI, Chennai and

Gaya Branch. Moreover, the bank records withdrawal was made by Vinay Kumar and Secretary, Shiksha Samiti, Bindu Devi. It has not been still ascertained whether the signature of Bindu Devi was forged.

It is submitted by learned counsel for the informant on 30.11.2013 the Block Education Officer informed the petitioner about Manoj Kumar becoming the Incharge Headmaster of the school in question and hence, withdrawal was directed to be made with the signature of Manoj Kumar.

The letter of Block Education Officer dated 30.11.2013 was examined by the learned Sessions Judge and found that the Block Education Officer, Narhat, Nawada transmitted the letter on 30.11.2013 but it was signed by him and attested by the present Headmaster, Manoj Kumar on 27.12.2013.

Considering the fact that still it has not been verified that the petitioner's bank received the change of Headmaster of the school prior to the withdrawal, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Nawada in connection with Narhat P.S. Case No. 86 of 2014.

The petitioner will be released on bail on deposit of the 50% of the withdrawn amount before the learned court below, which will be invested by the learned court below in some Fixed Deposit Scheme, which will be subject to the result of the case.

(Dinesh Kumar Singh, J)

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