

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7385 of 2015

Arising Out of PS.Case No. -12 Year- 2014 Thana -SHEOHAR District- SHEOHAR

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1. Vikash Kumar Son of Kedar Nath @ Kedar Nath Tiwary Resident of Mohalla - Bibiganj (Anandpuri) Near S.B.I. ATM, P.S. Sadar, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 22-04-2015 Heard both sides.

Petitioner seeks bail in Sheohar P.S.Case No.12 of 2014 registered under Sections 406, 408, 409, 420, 468and 120B IPC.

Ravikant Ojha, the Supervisor of SIS Company, who takes money from the Banks and deposit in different ATMs. He reported that the petitioner and one Mayank Kumar, who are his custodians, took money from the Bank for getting the same deposit in different ATMs but the balance slip was not handed over and on audit, it was found that the petitioner and Mayank Kumar misappropriated Rs.10,5000/-.

Learned counsel for the petitioner submits that during the course of investigation, the Bank officials have reported that there is shortage of 1,45,800/- as reported by the Central Bank of India. Other Banks have not reported about any shortage of money. From the facts, it is evident that there shall be no shortage of money in the account of Bank. The SIS agency is

liable to compensate any shortage of money of the Banks. The Agency employed the petitioner and another for taking money from the Bank and they are to stock the money in the ATM, but the petitioner and another did not stock money in ATM. The Supervisor of SIS Company, the informant, after auditing the entire account, found that Rs.10,5000/- was short and the same was not stocked in the ATM. The petitioner and another misappropriated the entire amount.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail and accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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