

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47440 of 2014

Arising Out of PS.Case No. -151 Year- 2013 Thana -SANGRAMPUR District- MUNGER

Badshah Ram Son of Late Banshraj Ram Resident of Village - Gaighat,
P.S. - Simari, District - Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Sangrampur P.S.
Case No. 151 of 2013 dated 06.12.2013 instituted under Sections
406/409/467/468 of the Indian Penal Code.

The allegation against the petitioner is that he was the
then Branch Manager of the Co-operative Bank had defalcated
maturity amount of the complainant and others.



Learned counsel for the petitioner submits that the complainant is a commission agent and in fact it was he who had committed irregularity with the depositors as the petitioner being the Branch Manager was not in direct touch with the depositors and further it would be clear that the complaint is frivolous by the fact that the maturity amounts are said to have due in March and April, 2008 but the complaint has been filed in April, 2011, after the petitioner had superannuated. Learned counsel submits that it is unbelievable that persons would have waited for three years and not complained anywhere and would only be satisfied by the assurance of the petitioner without taking any action. It is submitted that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in Sangrampur P.S. Case No. 151 of 2013, subject to the conditions laid down in Section 438(2) of the Code of Criminal

Procedure, 1973. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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