

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18194 of 2015

Arising Out of PS.Case No. -413 Year- 2014 Thana -MARHAURA District- SARAN

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Bharat Prasad, S/o 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.

WITH

Criminal Miscellaneous No.23284 of 2015

Arising Out of PS.Case No. -413 Year- 2014 Thana -MARHAURA District- SARAN

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Arun Kumar Srivastava, Son of Late Pasupati Nath Sinha, resident of
Village - Sahebganj, P.S. Chapra Town, District - Chapra (Saran).
..... Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

(In Cr.Misc. No.18194 of 2015)

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

For the Opposite Party : Mr. Ram Naresh Roy, APP

(In Cr.Misc. No.23284 of 2015)

For the Petitioner : Mr. Sanjay Kumar, Adv.

For the Opposite Party : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

02 11-06-2015 Heard learned counsels for the petitioners in both the
cases.

Petitioners apprehend their arrest in relation to

Madhawra P.S. Case o.413 of 2014 instituted under Sections-409, 420, 467, 468, 471 and 120B of the Indian Penal Code. Petitioner-Bharat Prasad is Assistant in the Punjab National Bank, Mirjapur Branch in the district of Saran at Chapra and petitioner-Arun Kumar Srivastava is the Branch Manager of the said Branch.

The allegation is that the informant had opened an account and deposited substantial amount of money on different dates. Fraudulently some impostor was given the ATM card and allowed to operate the ATM in relation to his account and his account was cleaned off. It appears from the communication of the Bank that the person, who was using the ATM card, has been captured in the CCTV, is not the informant and he is being tried to be identified. There is allegation that the photograph appended to the ATM card application is not that of the informant. Some of these facts are disputed by the petitioners.

Having considered the matter and in the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, the petitioners above-named shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Madhaura P.S. Case No.413 of

2014, subject to all conditions as laid down in Section-438(2) of the Criminal Procedure Code, which shall continue up to submission of charge-sheet. If the petitioners are charge-sheeted, they would be required to surrender and pray for regular bail which would be decided on the facts collected in the investigation without being prejudiced by order of this Court.

(Navaniti Prasad Singh, J.)

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