

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34600 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -AMJOR District- SASARAM (ROHTAS)

Shahid Anwar S/o Gulam Dastgir Resident of Village Saraiya, P.S. Amhore (Rohtas), District Rohtas (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.35744 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -AMJOR District- SASARAM (ROHTAS)

Arjun Choudhary son of Late Rajdeo Choudhary, Resident of village- Saraiya, P.O. Tilauthu, P.S.- Amjhor, District- Rohtas at Sasaram

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.34600 of 2015)

For the Petitioner/s : Mr. Kumar Vikram, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

(In Cr.Misc. No.35744 of 2015)

For the Petitioner/s : Ms. Anita Kumari, Adv.

For the Opposite Party/s : Mr. Md. Arif(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 23-11-2015 Heard both sides.

The petitioners apprehend their arrest in Amjhore (Rohtas) P.S. Case No. 78/2015, registered for the offences punishable under Sections 420, 409, 467 and 120B of the Indian Penal Code.

The informant alleged that the petitioners being



Assistant Branch Manager and Cashier of the Central Co-operative Bank, Saraiya, P.S. Amjhore, District- Rohtas persuaded him to deposit money in fixed deposit scheme and savings account. The informant deposited Rs. 40,000/- in the fixed deposit and also deposited money in the savings account, but the petitioners fled away after closing the Bank and the informant did not receive even his principal amount.

Learned counsel for the petitioners submits that the Bank is registered under Bihar Co-operative Societies Act, 1935. The petitioners are the employees of the Bank. The Managing Director and Executive Committee of the Bank are responsible for the misappropriation of the amount. The petitioners are appointed as employees on the monthly salary of Rs. 1,000/-. There is no allegation of defalcation against the petitioners. The informant did not make the Chairman and the members of Managing Committee of the Bank as accused.

Considering the facts aforesaid and the fact that the petitioners are employees of the Co-operative Bank, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on anticipatory bail on furnishing bail bond of Rs.

10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri (Rohtas) in connection with Amjhore (Rohtas) P.S. Case No. 78/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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