

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30261 of 2013

Arising Out of PS.Case No. -2868 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN

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Arjun Rai @ Arjun Prasad Yadav, S/o Late Mathura Rai, Resident of
Mohalla- Shiv Bazar (Near Dhelajee Mandir), P.S. Bhagwan Bazar,
District- Saran At Chapra

.... Petitioner

Versus

1. The State Of Bihar
2. Shivaji Brahmchari, S/o- Sarayu Prasad, R/o- Moh- Shiva Bazar, P.S.
Bhagwan Bazar, Distt- Saran at Chapra

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

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

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 01-04-2015 The petitioner is an employee of Central Bank of India. A complaint was made by one of the account holders to the effect that he deposited the entire loan amount through the petitioner at the relevant point of time. But twelve years thereafter, a notice was issued to him demanding Rs.78,875.00, and on verification he found that the amount deposited by him was not credited to the account. On that basis, Complaint Case No.2868 of 2012 was registered under Sections-323, 504 and 406 of I.P.C., on the file of Chief Judicial Magistrate, Chapra.

Apprehending arrest, the petitioner filed
A.B.P. No.1184 of 2013, in the court of learned Sessions

Judge, Saran at Chapra. The learned Judge rejected the application through order dated 3.7.2013. Hence, this application for grant of anticipatory bail under Section-438 of Cr.P.C.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The allegation against the petitioner is referable to the discharge of his duties as an employee of the Bank about ten years ago. The truth or otherwise of the allegations made against him needs to be considered in the trial. In the facts and circumstances, the arrest of the petitioner is not warranted. Therefore, the application is allowed.

In the event of arrest, the petitioner is directed to be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Complaint Case No.2868 of 2012.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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