

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36871 of 2014

Arising Out of PS.Case No. -60 Year- 2014 Thana -SITAMARHI District- SITAMARHI

1. Vikash Kumar Son of Kedar Nath @ Kedar Nath Tiwari Resident of Mohalla - Muzaffarpur Bibiganj near S.B.I. A.T.M., P.S. Sadar, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.39380 of 2014

Arising Out of PS.Case No. -60 Year- 2014 Thana -SITAMARHI District- SITAMARHI

Mayank Kumar, son of Ravindra Prasad Singh @ Ravindra Kumar Singh, resident of Village-Karhani, P.S.-Bhagwanpur, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.44461 of 2014

Arising Out of PS.Case No. -60 Year- 2014 Thana -SITAMARHI District- SITAMARHI

1. Kunal Ranjan Son of Dharendra Singh @ Dharendra Pd Singh R/o Village Karmopur, Naya Tola, P.S. Bidupur, District Vaishali at present resident of Mohalla Aadarsh Gram Bariya, P.S. Ahiyapur, District Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.36871 of 2014)

For the Petitioner : Mr. Yogendra Kumar Singh

For the Opposite Party : Mr. Jitendra Kumar Singh(App)

(In Cr.Misc. No.39380 of 2014)

For the Petitioner : Mr. Bhaskar Shankar

For the Opposite Party : Mr. Ram Naresh Rai (App)

(In Cr.Misc. No.44461 of 2014)

For the Petitioner : Mr. Dhananjaya Nath Tiwari

For the Opposite Party : Mr. Amrendra Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 10-02-2015

Petitioners are languishing in custody since 22.05.2014, 23.05.2014, 07.06.2014 in a case registered for the offences punishable under Sections 409, 420 of the I.P.C.

The informant being Assistant Manager of SIS Services Private Limited alleged that working of the company is of collecting money from different banks and depositing the same in the ATM of different banks. On the alleged date of the occurrence the mobiles of petitioner Vikash Kumar and Mayank Kumar being custodian of cash of SIS were found switched off who used to load money into different ATMs. On suspicion being raised the company enquired into the matter and found that Rs. 1,66,000/- of Bank of Baroda were missing from different ATMs. Petitioner Kunal Ranjan was location in-charge of the company.

It is submitted by learned counsel for the petitioners that statements of Mr. Sashank, Branch Manager of Bank of Baroda, Sitamarhi Branch, Mr. Vikash, Branch Manager of Central Bank of India and statement of Mr. Shashi Ranjan, private auditor of SIS Private Limited recorded in para Nos. 18, 22 and 26 of the case diary suggest that till date they do not have any information about misappropriation of the money from ATM. Though with similar accusation two other cases being Sitamarhi Dumra P.S. Case No. 20 of 2014 and Muzaffarpur Sadar P.S. Case No. 1 of 2014 have also been

lodged.

Considering the statements of the Bank Managers recorded during investigation and the fact that investigation has already concluded, let the petitioners, above named, be released on 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 60 of 2014.

Let learned Court below cancel the bail bonds of the petitioners, if the petitioners default for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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