

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36462 of 2015

Arising Out of PS.Case No. -59 Year- 2014 Thana -BHAWANIPUR District- PURNIA

Kumar Kanhaiya, son of Sri Ganga Prasad Singh, resident of Village-
Navtal, P.O. Bhawanipur, P.S.- Biraul, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Parmanand Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 406, 409, 420, 467, 468, 471 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is of defalcation of bank's money to the tune of Rs.60 lacs.

It has been submitted on behalf of the petitioner that he is in custody since 18.11.2014. Chargesheet has been submitted in the case. From perusal of the F.I.R. it would appear that there is allegation of defalcation of Rs. 8,80,000/- as per one of the branches is concerned in which the petitioner was the Branch Manager but the total defalcation is being claimed to be approximately Rs 60 lacs and in respect of that attention of the Court has been drawn to Annexure-10 of the supplementary affidavit where information was sought for from the bank under the R.T.I. Act which indicates that defalcation was of Rs. 54, 03, 190/- and out of the said amount Rs. 50, 36, 689/- has already been deposited and from perusal of Annexure-4, which is a bank

draft, it appears that another Rs. 3, 66, 501/- has been deposited. Hence, there is no outstanding left against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and had defalcated the money of the bank and misused his post.

Considering the fact that since entire amount has already been deposited by the petitioner, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Bhawanipur P.S. Case no. 59 of 2014.

(Sudhir Singh, J)

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