

**IN THE HIGH COURT OF JUDICATURE
AT PATNA
Criminal Miscellaneous No.31378 of 2015**

Arising Out of PS.Case No. -193 Year- 2015 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Rakesh Kumar Son of Ishwar Prasad Resident of Mohalla - K.B. Sahay, near Gayatri Mandir, P.S. and District - Hazaribagh, Jharkhand. At present residing at Mohalla - Nala Road near J.S.A. three wheeler show room Ramchadrapur, P.S. - Laheri, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/S. N.K. Agrawal & Sanjeet Kumar

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 13-10-2015

Heard both sides.

Petitioner apprehends arrest in a case registered for the offences punishable under sections 420 and 406 of the Indian Penal Code.

Branch Manager of Central Bihar Rural Bank, Biharsharif alleged that Sachin Kumar, Rakesh Kumar and Santosh Kumar Chowdhary in collusion with each other withdrew Rs.13,42,000/- from the accounts of nine account holders.

It is submitted that petitioner is P.O. on probation. Only allegation against the petitioner is that he handed over a cheque book of one Alamgir to Santosh Kumar Choudhary

who gave the said cheque book to Sachin Kumar and Sachin Kumar withdrew Rs.13,42,000/- from different accounts of the account holders. It is submitted that Sachin Kumar during course of departmental enquiry admitted this fact and also stated that he deposited the entire amount in the Bank.

Considering the fact that petitioner is a probationer and he only handed over cheque book of Alamgir to Santosh Kumar Chaudhary in bona fide belief, the petitioner above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 193 of 2015, G.R. No. 1504 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

Amin/-

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