

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17397 of 2013

Arising Out of PS.Case No. -25 Year- 2012 Thana -BARAULI District- GOPALGANJ

Sanjay Kumar Rai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Y.V. Giri, Sr. Advocate and Mr. Ashish Giri, Advocate.

For the Opposite Party : Mr. Uma Shankar Pd. Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-03-2015 Heard learned senior counsel for the petitioner and the State.

The petitioner being the cashier in North Bihar Gramin Bank is apprehending his arrest in a case registered for the offences punishable under Section 409/34 of the Indian Penal Code.

It is alleged that Rs. 31,82,578/- has been defalcated.

It is submitted by learned senior counsel for the petitioner that F.I.R. was lodged without considering the special audit report which only suggests defalcation of Rs. 13,76,043/-. It is further submitted that during investigation it was found that Rs. 2,45,000/- has only been defalcated by the petitioner. Moreover, the said amount has already been deposited by the petitioner subject to the departmental proceeding initiated against the petitioner.

The aforesaid facts may be considered by the learned court below while considering the prayer for regular bail keeping in view of the fact that the petitioner has clean antecedent as stated in paragraph no. 13 of the petition, if the petitioner surrenders within a period of six weeks from the date of receipt/production of copy of the order in connection with Barauli P.S. Case No. 25 of 2012, pending in the court of the learned C.J.M. Gopalganj.

With this observation, the application is disposed off.

U.K./-

(Dinesh Kumar Singh, J)

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