

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16687 of 2016

Arising Out of PS.Case No. -373 Year- 2015 Thana -NANHPUR District- SITAMARHI

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1. Mrigendra Narayan Jha son of Late Jai Kant Jha, R/o Village- Budh Nagara, P.S.- Nanpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Uttar Bihar Gramin Bank, Kharka Branch, Nanpur through its Branch Manager, Kharka, Dist- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.

For the Bank : Mr. Prabhakar Jha

For the State : Mr. Md.Nazir Ansari,A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-05-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Sections 406, 409, 420 and 34 of the Indian Penal Code.

In this case, case diary was called for, which has been received.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he along with others defalcated total amount of Rs. 78,25,874/-. From FIR it reveals that the name of the petitioner has been described as one of the functionaries of the Bank. Learned counsel for the petitioner further submits that he was functioning as Office Clerk/Cashier in Uttar Bihar Gramin Bank, Khadka. It is further submitted that the

petitioner has functioned in the aforementioned Bank from the period 18.05.2006 to 31.12. 2013. Learned counsel for the petitioner has submitted that except the said allegation, there is nothing in the case diary to indicate the complicity in the alleged defalcation.

Learned counsel for the State and learned counsel appearing for Uttar Bihar Gramin Bank submit that apart from the said allegation, no further material has emerged in the case diary but the complicity of the petitioner has not been ruled out.

Taking into consideration the facts and circumstances of the case and the petitioner has got no criminal antecedent, let the above named petitioner, in the event of his arrest/surrender in the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Pupari at Sitamarhi, in connection with Nanpur P.S.Case No. 373 of 2015,subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Anjana Mishra, J)

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