

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23857 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -TARAPUR District- MUNGER

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1. Amar Kant Kumar S/o Kailash Sah@Kailash Pd. Gupta Resident of
Village- Rajoun, Police Station -Rajoun, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 10-08-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 379 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner
is mere a field staff and is not entitled to retain the keys of any
locker. Furthermore, the locker in question can only be opened
jointly with the keys which are with the Cashier and the Branch
Manager and the Cashier is alone entitled to retain the keys. The
informant Shri Bhola Shankar had been retaining the keys all
along but for some oblique reason, on the concerned date when the
cash was found to be short, it was given over to the petitioner by
the Branch Manager Shri Bhola Shankar. Notwithstanding, the

other keys have been retained by the Cashier. Learned counsel for the petitioner submits that he could not have opened the cash without the keys which were in the possession of the Cashier and, therefore, the statement that the petitioner alone is responsible for the disappearance of the money from the locker, is mere a pretence to cover up their own laches.

Taking into consideration all the facts and circumstances of the case and also the statement of the Cashier which appears to be dubious, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Munger in connection with Tarapur P.S. Case No. 14/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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