

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12628 of 2016

Arising Out of PS.Case No. -306 Year- 2014 Thana -PIRBAHOR District- PATNA

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Shashi Bhushan Prasad, Son of late Ram Pyare Ram, Resident of Village-
Jagadishpur, PO - Bharthouli, P.S. Jamhor, District Aurangabad(Bihar)

.... Petitioner

Versus

1. The State of Bihar.
2. Bihar Staff Co-operative Bank LTD. (Head Office) Ashok Raj Path
Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vishal Sinha, Advocate.

For the Opposite Parties : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 20-06-2016 Heard both sides.

The petitioner apprehends his arrest in Pirbahor P.S.
Case No. 306 of 2014 registered for the offences punishable under
Sections 467, 468, 471, 406, 408, 420 and 120(B) of the Indian
Penal Code.

Allegation against the petitioner is that he in collusion
with the agent Manish Kumar @ Bhola misappropriated amount
of Rs. 15 Lakhs by not depositing in Systematic Investment Plan.

Learned counsel for the petitioner submits that the
account holders are responsible for not checking their accounts.
There is no material on record to show that the petitioner ever
received any money from Manish Kumar @ Bhola the agent of the



bank. But it appears from the FIR itself, that the Branch Manager as well as the Assistant of the branch, the petitioner are responsible for checking the accounts and if the amount is not deposited daily they are duty bound to inform the depositor. The petitioner is alleged to have given wrong figure of deposits of the account. On the same date another case was lodged bearing Pirbahor P.S. Case No. 305 of 2014 in which anticipatory bail of the petitioner has already been rejected.

Considering the facts aforesaid and the fact that the petitioner is alleged to have misappropriated more than Rs. 15 lakhs of different account holders, I am not inclined to enlarge the petitioner above named on anticipatory bail in Pirbahor P.S. Case No. 306 of 2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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