

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41265 of 2016

Arising Out of PS.Case No. -85 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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1. Kunal Kumar S/O Ramnandan Prasad Singh @ Ramnandan Singh, R/O
Vill- Sisma, PO- Mahsaura, P.S. & Distt.- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalan Kumar

For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-10-2016 Heard both sides.

The petitioner apprehends his arrest in Lakhisarai
P.S. case No. 85 of 2015 under Section 419, 420, 457, 468, 120B
of the Indian Penal Code.

The gist of the allegation, as made by the informant,
is that the petitioner got account of the informant opened in ICICI
bank and immediately thereafter somebody deposited Rs.
22,40,000/- in the account of informant and withdrew the same.
The informant got notice from Income Tax department. The
informant alleged that petitioner and other bank officials
fraudulently deposited the amount and withdrew the same from
the account only to conceal the black money at the instance of
some other persons.



The learned counsel for the petitioner submits that petitioner is a Junior Grade Officer, Sales of the ICICI bank. The petitioner is field officer whose duty is to get the account of customers opened in the bank and he has nothing to do with the deposit and withdrawal of money from any account. It is further submitted that from the pay-in-slip, it would appear that money was deposited in the account of Ripu Kumar by Ripu Kumar himself and thereafter somebody else but from Annexure-3 series, it would appear that Ripu Kumar withdrew the entire amount through three cheques of Rs. 7 lacs, 7 lacs and 8,40,000/- respectively. It was the duty of the concerned Assistant and Branch Manager to compare the signature of the drawee or account holder. Ripu Kumar put signature on all the three cheques. The petitioner is nowhere connected with work of withdrawal of money from the account of any customer or account holder.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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, Lakhisarai in Lakhisarai P.S.
Case No. 85 of 2015, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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