

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17061 of 2016

Arising Out of PS.Case No. -244 Year- 2013 Thana -AMARPUR District- BANKA

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Giridhar Mishra, S/o Late Brahama Nand Mishra, R/o New Puranderpur,
P.S.-Jakkanpur, Dist-Patna, then the Branch Manager, UCO Bank Bharko,
P.S.-Amarpur, District-Banka, at present Branch Manager, UCO Bank,
Ashram Road, Branch Ahamadabad, Gujarat.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ojha

For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 02-05-2016 Heard the counsel for the petitioner and Mr. T.P.
Mandal, APP for the State.

The petitioner herein seeks anticipatory bail in
Amarpur P.S. Case No. 244 of 2013, registered under Sections
406, 409, 419, 420 & 34 of the Indian Penal Code.

Allegation in nutshell is that the beneficiary under the
Indira Awas Yojna was shown to have been paid a sum of Rs.
25,000/-, 15,000/- and 5,000/- on 24.02.2011, 22.09.2011 and
23.07.2012 respectively, but actually the same was not received
by the beneficiary namely Smt. Kari Devi. She alleged that
Pappu Yadav had brought her and fraudulently obtained her
thumb impression on withdrawal form(s).

Contention of the petitioner is that he is the then
Branch manager of the UCO Bank. His name does not figure in
the First Informant Report. Co-accused Pappu Yadav @ Pappu

Kumar Yadav has since been granted anticipatory bail on conditions vide order dated 25.07.2014 passed in Cr. Misc. No. 51913 of 2013. In order to obtain the privilege of anticipatory bail, the petitioner is ready and willing to comply with the conditions if any imposed by the Court.

Learned APP on the other hand submits that in course of investigation, the name of the petitioner transpired as one of the conspirator.

Be that as it may, since one of the co-accused cited in the FIR has been released on bail on payment of a sum of Rs. 7,500/- in favour of the beneficiary (Kari Devi) subject to outcome of the trial, the present application is allowed. Let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M. Banka in Amarpur P.S. Case No. 244 of 2013, subject to conditions as laid down in Section 438 of the Cr.P.C as also subject to further conditions that petitioner shall deposit a sum of Rs. 5,000/- in the court below to be withdrawn by the beneficiary (Kari Devi) on furnishing an undertaking which shall be subject to result of the case.

(Kishore Kumar Mandal, J)

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