

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13526 of 2016

Arising Out of PS.Case No. -464 Year- 2013 Thana -RUNISAIDPUR District- SITAMARHI

1. Ram Sewak Mehtha @ Ram Sewak Mehta, S/o Late Mahabir Mehta the then Manager, resident of Village- Birauli, P.S.- Benipatti, District- Madhubani and at present resident of Mohalla- Mali Ghat Chauk, P.S.- Mithanpura, District & Town- Muzaffarpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj

For the Opposite Party/s : Mr. Ashok Kr.Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-06-2016

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 420, 467, 468 and 120 (B) of the I.P.C

Allegedly, the petitioner being the Branch Manager of Central Bank of India, branch- Mehsaul committed breach of trust of Rs. 61,94,333/- after showing distribution of Kishan Credit Cards to 90 account holder, without verifying their identity through the local Mukhiya of the Panchayat, on false land possession certificate and the land receipts.

Submission is of false implication and that the petitioner is an old retired man aged 70 years and is suffering from many diseases, without any fault he is suffering in custody since

11.01.2016, the First Information Report has been lodged without making proper enquiry and further without making proper investigation charge sheet has already been submitted against the petitioner, there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer for bail.

In the facts and circumstances as stated above, considering custody of the petitioner and further that there is no chance of tampering with the prosecution evidence, now he is directed to 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 C.J.M. Sitamarhi in Runisaidpur P.S. Case No. 464 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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