

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6295 of 2016

Arising Out of PS.Case No. -105 Year- 2015 Thana -MARHAURA District- SARAN

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Geeta Kumari, D/o Sukhdeo Mahto, resident of village - Awari Brit, P.S.
Morhowrah, District - Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate

For the Opposite Party/s : Mr. Mustaque Alam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-02-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Morhowrah P.S. Case No.105/15 for offences alleged under

Sections 409, 420, 379, 120-B of the Indian Penal Code.

The prosecution case, as lodged by the informant,

is that he appointed the petitioner in his office to open accounts

and maintain registers etc. The informant had kept his cheque

book in the office through which total amount of Rs. 66,000/- has

been withdrawn by petitioner through cheque of the informant and

panchayati for the same has been done in which petitioner

accepted that she withdrew Rs. 10,000/- from the account of the

informant and Rs. 56,000/- has been withdrawn by Pramod Kumar

and Deepak Kumar. It is further alleged that 20 cheques has been stolen by the petitioner in collusion with bank staff.

It has been submitted by the learned counsel for the petitioner that petitioner is a young and unmarried girl working as operator with the informant in his Grahak Sewa Kendra, is innocent and has no criminal history, as is evident from paragraph 3 of this petition. It has further been submitted that the matter travelled up to the National Human Rights Commission, New Delhi in pursuance to which the petitioner and the Bank officials have given a report, and unanimously agreed that they do not have any grievance with each other. Learned counsel for the petitioner further submits that as per paragraph 11 of the case diary the Branch Manager has specifically stated that the signature on the cheque matched with the informant and the cheque was allegedly misappropriated on 17.03.2015 and 21.03.2015, withdrawals of which is always communicated through SMS but the informant did not approach the Bank for verification of the same and even the First Information Report has been lodged after inordinate delay.

Learned APP for the State, however, submits that the petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of her arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Saran at Chapra, in connection with Morhowrah P.S. Case No. 105/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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