

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7474 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Bijendra Kumar Son of Late Mangal Saharan Prasad Resident of Village/Mohalla- katira Near Dr. P.Singh P.S. Nawada Dist.Bhojpur (Ara) - Assistant Manager (Then Acciybtant) State Bank of India Bara Chakiya, East Champaran, At Present residing State Bank of India, Madhuban Branch, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. State Bank of India through its General Manager Bihar Circle

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Advocate
Mr. R. S. Pathak, Advocate
For the S.B.I. : Mr. Kaushalendra Kumar Singh, Advocate
For the Opposite Party/s : Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 420, 407, 409 and 120B of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that being Incharge of the ATM machine between 8.10.2014 to 5.12.2015 , he handed over the charge to a new person in his place and no defect was found at that time in the ATM machine and they were taking work from that machine. Thereafter, it is alleged that there is defalcation of eight lacs rupees and other co-accused have



been granted anticipatory bail on the ground of giving undertaking of depositing the amount vide order dated 03.08.2016 passed in Cr. Misc. no. 12601 of 2016.

Heard learned A.P.P. as well as learned counsel for the State Bank of India.

Having heard both sides, in view of the fact that other co-accused have been granted bail on the condition of depositing of Rs. 3 lacs and 2 lacs respectively, as such, this petitioner, being Incharge, shall also deposit Rs. 3 lacs within a period of three months. Let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on provisional bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned A.C. J. M., Motihari, in connection with Chakiya Case no. 15 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make himself available before the police as and when required.



If petitioner deposits the aforesaid amount within the stipulated time his provisional bail shall be confirmed by the learned court below itself. If he fails to deposit the aforesaid amount, learned court below will be at liberty to pass order as he thinks fit and proper.

(Vinod Kumar Sinha, J)

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