

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32390 of 2017

Arising Out of PS.Case No. -666 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Priti Lata Mishra, wife of Priya Manas Tiwary @ Manas Tiwari, R/o Neem Chauk, Bangla Garh, Ram Bagh Campus, Near Dental Sewa Sadan, P.O.- Lalbagh, P.S.-L.N.M.U, District- Darbhanga, at present residing at Panna Mill Road, Gurhatta Chauk, P.S. Mojahidpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Sameer Sinha, Cluster Head, Bandhan Bank, Rental Flat No.158, Kankarbagh Colony, P.S.- Kankarbagh, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Smt. Gulnar Begam, APP

Mr. Dayanand Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 31-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends her arrest in Kotwali P.S.

Case No.666 of 2016 instituted for the offence under Section(s)

420, 409, 467, 468, 471, 120-B Indian Penal Code.

It has been submitted on behalf of the petitioner that co-accused, Manas Tiwary, was Manager in the Bandhan Bank with effect from 20.04.2015 and he resigned from the service on 09.08.2016. He handed over charge after resignation on 27.10.2016, and after handing over charge instant First Information Report has been lodged on 29.11.2016 alleging that



the husband of this petitioner in fraudulent transactions have misappropriated rupees fifty lacs. Allegation against the petitioner is that rupees two lac eighty thousand six hundred twenty one has been deposited in her account.

Petitioner has mentioned in para 16 of the bail petition that she has deposited rupees two lacs in the account from her own source, which was subsequently withdrawn.

Counsel for the petitioner has submitted that in the First Information Report there is no specific allegation against this petitioner. There is allegation against husband of this petitioner that with dishonest and fraudulent intention he misappropriated the amount to the tune of rupees fifty lac.

Counsel for the petitioner has further submitted that he has annexed the Audit Report of the Bank as Annexure-5, which is up to 30.06.2016, and the Audit Team did not find any discrepancy till 30.06.2016. The alleged amount is said to have been directly deposited in the account of this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Kotwali P.S. Case No.666 of 2016, she shall be released on anticipatory bail on



furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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