

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55245 of 2017

Arising Out of PS.Case No. -123 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

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Suresh Chaudhary S/o Late Domi Chaudhary, R/o Village- Lohia Nagar,
P.S.- Balia, District- Begusarai, At present Branch Manager, Central Bank
of India, Branch Centre Plaza 1st floor, Ram Nathpuram, (Tamilnadu).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Baikunthpur**
P.S. Case No. 123 of 2015 instituted for the offence under
Sections 420, 120B, 467, 468, 471 and 406 of the Indian Penal
Code.

It has been submitted that petitioner is Branch
Manager of the Bank. There is no any specific allegation against
him in the written report. In the written report there is allegation
that the informant used to deposit money in her saving bank
through one Subhash Prasad working in the bank who always used
to help her in depositing and withdrawing money. It is alleged that
on 05.1.2015 when the complainant visited the bank, she informed
that on 2.11.2013 she had deposited Rs.33,000/- but after updating



her passbook the amount is shown to be 28,000/-. Similarly, on 25.3.2014, the balance in the old passbook has been shown to be Rs.59,006/- but in new passbook the same is missing. She, then inquired about the matter from Subhash Prasad, who assured her that he will deposit the money, but later on he refused to do so. As such, there is no allegation of any specific overt act against this petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Baikunthpur P.S. Case No. 123 of 2015**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-IIIrd, Gopalganj**, 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.

S.Ali/-

(Sanjay Priya, J)

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