

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51029 of 2016

Arising Out of PS.Case No. -189 Year- 2015 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Nirmal Kumar Son of Ram Keval Pandey R/o Lal Bahadur Shastri Path,
Paharpur, Anishabad, Patna, P.S. Gardhnibagh, Patna at Present Branch
Manager of Central Co-operative Bank, Bank Road, Motihari, Dhaka.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Motihari Central Co-operative Bank, Motihari through in Managing
Director.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kalyan Shankar
For the Opposite Party/s : Mr. Sahin Begam
For the Bank : Mr. Bindhyachal Rai

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-03-2017 The petitioner is apprehending his arrest in connection
with Dhaka P.S. Case No. 189 of 2015, registered for offences
punishable under Sections 420, 406, 409, 120(B) of Indian Penal
Code.

It appears that in this case, earlier, notice was issued to
opposite party no. 3. under both process, and the same was
accepted to be validly served upon him on his refusal.

It has been submitted on behalf of the petitioner that
petitioner has nothing to do with the allegations made as the
alleged money has been withdrawn by the complainant and his
relatives, in support of this contention, statement of bank account



has been annexed with this application, which is annexure -2 series. Moreover, the complainant has already filed a petition stating that he has filed the present under wrong impression and has now compromised the matter with petitioner, which is annexed to the application as annexure – 3 series.

Heard learned A.P.P. as well as learned Counsel appearing on behalf of Motihari Central Cooperative Bank Ltd.

Having heard both sides, in view of the submissions of learned counsel for the parties and also in view of annexure -2 series, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikranha, Dhaka in connection with Dhaka P.S. Case No. 189 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.



- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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