

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1211 of 2016

- Antram Chandrakar S/o Shri Faguwa Ram Chandrakar
Aged About 45 Years Clerk, Zila Sahakari Kendriya Bank,
Branch Jaijaipur, District Janjgir Champa, Chhattisgarh,
Present Address Village Jaijaipur, District Janjgir Champa,
Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through In-Charge, Police Station
Jaijaipur, District Janjgir Champa, Chhattisgarh. ---
Respondent

For the applicant : Mr. Anand Shukla, Advocate.
For the State : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.01.2017

1. Apprehending arrest in connection with Crime No.199/2016 registered at Police Station Jaijaipur, Distt. Janjgir Champa (C.G) for the offences punishable under sections 420, 409, 467, 468, 471, 34 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, a report was made by one Firatram Murar who was related to one Firtu Ram Murar. Firtu Ram Murar opened savings bank account in the District Cooperative Central Bank Ltd, wherein the name of Srilal was added with the connivance of bank officials and other workers. Subsequently in between 16.06.2011 and 20.10.2011 an amount of Rs.3,58,000/- was withdrawn by said Srilal and the applicant who is one of

the employees of the Bank has committed offence by allowing the said withdrawal and making entry thereof.

3. Learned counsel for the applicant would submit that in between 04.06.2011 and 20.11.2011 the applicant was initially working as a clerk in the Bank and he did not have any right to add or delete any name in the savings account and it was exclusively within the jurisdiction of the Branch Manager. It is further submitted that the name of Srilal has been added in the Savings Account of Firturam after verification of the Branch Manager and the applicant being the clerk has no authority to stop the withdrawal of the amount, therefore, he has been falsely implicated.
4. Per contra, learned State Counsel opposes the prayer.
5. Perused the case diary which contains the Account Opening Form as also the communication of the Bank. It shows that the name of Srilal was added in the year 2010 and was verified by the Branch Manager.
6. Considering the role played by the applicant and the Account Opening Form, I am inclined to allow this bail application.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any police officer;
- (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

R a o