

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14705 of 2018

Arising Out of PS.Case No. -147 Year- 2016 Thana -NAUTAN District- SIWAN

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1. Gautam Dubey @ Gautam Kumar Dubey S/o Harendra Dubey, R/o
Village- Shahpur, P.S.- Nautan , District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-06-2018 The petitioner is apprehending his arrest in connection with Nautan P.S. Case No. 147 of 2016, registered for offences punishable under Sections 406, 420, 120B, 409, 427, 323, 354 and 506 of the Indian Penal Code.

Allegation as per F.I.R that the petitioner and other accused persons opened a Bank in the year 2008 in the name and style of 'Nawyuvak Vikash (Karj) Seva Samittee Sahpur, Mishrauli and Nawyuvak Bachat Sakha Swalambi Sahkari Samiti Shahpur, Mishrauli, in which the petitioner was the cashier and they instigated the informant to open a bank account in that bank and the informant got his account opened and the account of her husband in the said bank and deposited Rs. 35,000/- and also continued to deposit the amount but later on the bank was closed



and her money was usurped by the accused persons and there is further allegation that co-accused of this case has taken loan of Rs. 50,000/- from the informant but did not return the same.

It has been submitted on behalf of the petitioner that there is no proof that she has ever deposited any money in the bank. Moreover, the petitioner was the cashier of the said bank and has nothing to do with the allegation and is no way concerned with return of the money.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, 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 ACJM-XII, Siwan, in connection with Nautan P.S. Case No. 147 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition 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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