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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2418/2017**

SAYED ZEESHAN MOHAMMAD

..... Petitioner

Through Mr. Salman Khurshid, Sr. Advocate
with Mohd. Sulaiman Khan, Mr.
Arpit Shukla, Ms. Inda Kerry, Mr.
Shabeena Anjum and Mr. Shubhi
Sharma, Advs.

Versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through Ms. Neelam Sharma, APP with SI
Baljinder Singh, P.S. Darya Ganj

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.01.2018

FIR No. 121/2017 under Sections 409/420 IPC was registered at Police Station Darya Ganj on the complaint of Ms. Preeti Singh, Branch Manager, SBI. It was alleged in the FIR that ₹45.20 lacs were withdrawn from the account of one Sushil Chandra Gupta, after his death, which fact came to the notice of bank, when relatives of the deceased approached the bank on 30th May, 2017.

Learned Senior Counsel for the petitioner contends that petitioner was working as Assistant Manager in the Gole Market Branch. He made non-

home bank transfer transaction of ₹50,000/-, on the instructions of co-accused Mihir Kumar Mishra. Investigations are complete and charge-sheet has been filed. Petitioner is in custody for more than seven months. Trial is likely to take time. Petitioner may be admitted to bail.

Learned APP submits that on 29th August, 2017 petitioner had made non-home bank transfer transaction of ₹50,000/- from the account of the deceased and had committed criminal breach of trust and had dishonestly misappropriated the funds from the account of the deceased.

Learned Senior counsel for the petitioner submits that no material has been collected during the investigation that petitioner had transferred the amount in his own account and is beneficiary. Amount was transferred in the account of Shri Anil Kumar Shah and not in petitioner's account.

Learned APP submits that Shri Anil Kumar Shah is not traceable. She further submits that petitioner had also indulged in other similar illegal transactions of transfer of money in other saving bank accounts in different branches and this fact is being inquired upon.

It is noted that investigations in this case are over and charge-sheet has been filed. Petitioner is in judicial custody for more than seven months.

Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

JANUARY 03, 2018

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