IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22115 of 2019

Arising Out of PS. Case No.-965 Year-2018 Thana- DEHRI TOWN District- Rohtas

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Birju Kumar @ Briju Kumar, Son of Rameshwar Prasad, Resident of Village - New Dalmiya, Post and P.S.- Dehri, District - Rohtas

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-08-2019 This is an application for grant of anticipatory bail in connection with Dehri (Dalmiya Nagar) P. S. Case No.965 of 2018, disclosing offences under Sections 467, 468, 406, 420, 34 of IPC.

Prosecution case in short is that a Grahak Seva Kendra was running in the village under the Punjab National Bank, Main Branch, Dehri and Birju Kumar was posted as Manager and Dharmendra Kumar as Assistant in the said branch. Further, case is that the registration of the said branch was cancelled in the month of July, 2018, but the above said persons by concealing the facts continuously operating the account of its customer and the informant has deposited Rs.70,000/- in her bank account bearing No. 0607001700022054. It is alleged that the said amount of

Rs.70,000/- has not been deposited in her account along with amount of several customers, as such, the petitioner and his associates has misappropriated that amount.

Submission of the learned counsel for the petitioner is that the consumers center was closed by the main branch in the month of July, 2018 and C.S.P. of the petitioner was cancelled but later on, new C.S.P. was issued in favour of Dharmendra Kumar, who has required infrastructure and petitioner has falsely been implicated in this case. It has further been submitted that the house owner was also informed by the bank that the customer center has been closed and in such a situation allegation of collecting the amount from the informant and several other persons does not appear to be probable.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail drawing my attention towards para 39 of the case diary, which disclosed that several deposits have been made by the different persons including the informant in the Customer Service Center which has not been deposited in the main branch. The statement of the Branch Manager has been recorded in para 40 of the case diary which also disclosed that the landlord was also asked not to open the Center as it was closed but still the landlord has allowed the petitioner and

Dharmendra Kumar to run the C.S.P. Center and as such, petitioner and other accused persons have committed cheating.

Having heard both sides, in view of the allegations and submission made above, I am not inclined to grant privilege of anticipatory bail to the petitioner.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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