

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28276 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- SHIVSAGAR District- Rohtas

Abhinandan Mishra, aged about 35 years (Male), S/o Shankar Dayal Mishra,
R/o village- Baradahi (Baradhi), P.S.- Sasaram (M), District- Rohtas at
Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aprajita Hembaram, aged about 58 years (F), wife of Ramanuj Singh,
resident of Mohalla- New Bank Colony, Fazalganj, P.S.- Sasaram(M),
District- Rohtas, at present Sr. Manager, South Bihar Gramin Bank,
Sheosagar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashutosh Tripathy, Advocate
For the O.P.	:	Mr.Mahesh Narayan Parbat, Sr. Advocate
		Mr. Praveen Prabhakar, Advocate
For the State	:	Mr. Hukayu Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Shivsagar P.S. Case No. 03 of 2019 registered for the
offences punishable under Sections 409, 420 of the Indian Penal
Code.

The prosecution case is that the FIR has been
registered on the basis of written complaint dated 02.01.2019 by
Branch Manager, Smt. Aprajita Hembran making an allegation
that petitioner was posted as Assistant Officer in the Branch.



Due to some complaints, the departmental inquiry was conducted. It was found that in collusion of Sri Amit Kumar Singh, the petitioner received photo copy of K.C.C. and open a forged account in the name of Rajesh Kumar Singh on 17.10.2016 bearing no.-73930100151592 from that account he transferred in his account bearing account no. 73930200102487. When the matter came in the light, the petitioner paid the cash on 20.12.2017. In a same manner, cash was withdrawn from credit account no. bearing no.- 73938800010621 in name of Sri Ramdyal Singh for an amount of one lakh rupees and it was deposited on 16.06.2017 but interest was not deposited. In same sequence, from the account of Kalawati Devi bearing Khata No.- 73930700011148 one lakh rupees was transferred in the account of Abhinandan Mishra (his A/C No.-73920200102487) and the same was withdrawn by him. Thereafter, an amount of Rs. 45,000/- was illegally transferred from the account of Kalawati Devi to the account of the Chaturbhuj Singh. B.C.A. in his account no.-73932100002434 and later on 11.08.2017, Rs. 1,45,000/- was deposited in her account but no interest was deposited. Again on 18.12.2017, Rs. 1,00,000/- was withdrawn in an illegal manner from the account of Kalawati Devi A/C No. 73930700011148 and later on the amount was deposited by way



of four installments of Rs. 25,000/- but without any interest. The Regional Officer, Regional Office, Sasaram vide letter no.- 341/18 dated 14.12.2018 directed for registration of FIR against petitioner Abhinandan Mishra that committed of Rs. 3,50,700/-. Accordingly, case FIR No. 03 of 2019 dated 02.01.2019 was registered at P.S. Shivsagar Sasaram, Rohtas under Sections 409/420 of IPC against the petitioner.

Learned counsel for the petitioner submitted that all deposits and withdrawals were done under the supervision of the informant and all files run through her and after the consent the money is being withdrawn and deposited. She even allowed B.C.A. Chatrubhuj Singh collect the voucher from C.S.P. Branch, Keharandi he used to collect the money from the customer and deposited the money through the system but the informant allowed him to do so. All the money has been transferred from the account of Kalawati Devi. The departmental proceeding is going on against the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of C.J.M., Rohtas at Sasaram in connection with
Shivsagar P.S. Case No. 03 of 2019, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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