

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33227 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- RAMGARHWA District- East Champaran

AMIT KUMAR Son of Sri Birchand Singh Resident of Village - Sherpur Pyare, Thana - Mahua, Distt.- Vaishali at Present Single Window Operator (Under Suspension), Central Bank of India, Branch, Dhanhar, Dihuli, P.S.- Ramgarwa, Distt-East Champaran State - Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Branch Manager, Central Bank Of India, Dhanhar, Dihuli Branch, Ramgharwa, Distt-East Champaran Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Sr. Adv.
		Mr. Santosh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Ajay Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-08-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 420, 406, 409 and 120(B) of the Indian Penal Code.

The prosecution case as lodged by the informant senior Branch Manager, Central Bank of India, Dhanhar Dihuli is that on 16.01.2019 during the course of inquiry from perusal of the Bank register, it has been found that the Branch Manager, Sahara India, Branch Ramgarhwa had deposited Rs. 24,88,000/- in it's current account no. 2316735740 on different dates, but



said amount has not been deposited by this petitioner in it's account, who is single window counter operator of the Bank. During the course of thorough inquiry, it has been found that total amount of Rs. 27,85,000/- has not been deposited in the account of Sahara India, but in spite of non-depositing the money by the Sahara India, Rs. 8,61,000/- has been show as deposit by the Sahara India on different dates. In this way, Rs. 19,24,000/- of Sahara India has been defalcated by this petitioner. The petitioner in his written petition has confessed his guilt. The contents of the F.I.R. find support under paragraphs-6, 7, 11 and 12 of the case diary and the investigation against this petitioner is still going on.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 17.01.2019. It is further submitted that the charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection



with Ramgarwa Police Station Case No. 17 of 2019, subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

