

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40822 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- PAKRIDAYAL District- East Champaran

BIDYANAND CHAUDHARY Son of Late Pallu Chaudhary Resident of
Gayatri Nagar Ward No 30, P.S.- Motihari Town, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Shankar Shrivastava, Adv.
For the State	:	Mr.Rina Sinha, APP
For the Bank	:	Mr. Prabhakar Jha, Adv. Mr. Amitesh Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 409 of the Indian Penal Code registered
in connection with Pakridayal P.S. Case No. 163/2018.

3. It is submitted that the petitioner who is the Ex-
Branch Manager, has been falsely implicated on the accusation
that he along with office assistant Sonu Ranjan have transferred
Rs.17,83,575/- relating to crop insurance claim amount wrongly
in the account of some account holders and hence committed the
temporary embezzlement. It is submitted that in the subsequent
internal audit and inspection, no irregularity has been found, as
the amount in question has already been refunded. Similarly



situated aforesaid co-accused Sonu Ranjan has been granted anticipatory bail in Cr. Misc. No.28503/2019 (Annexure-3). The petitioner claims clean antecedent.

4. The learned APP, assisted by learned counsel for the bank, appears. It is submitted on behalf of bank that it is only pursuant to the internal audit that demand was made and thereafter the money has been refunded to the bank.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vth, East Champaran, Motihari in connection with Pakaridayal P.S. Case No. 163/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Prakash Narayan /-

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