

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36184 of 2019

Arising Out of PS. Case No.-916 Year-2018 Thana- ARARIA District- Araria

MD. HARUN @ MD. HARUNA Son of Late Mohiuddin Resident of -
Khariya Basti, Ward No. 10, P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-09-2019

This application, for grant of anticipatory bail, arises out of Araria P.S. Case No. 916 of 2018, disclosing offences under Sections 409, 420/34 of the Indian Penal Code.

Prosecution case is that the petitioner, who happens to be the retired Cashier of Central Cooperative Bank Limited that he along with Computer Operator with conspiracy of each other in order to misappropriate the bank amount through the Bank I.D. of accused Mahboob Alam and Md. Harun (petitioner), accused Mukul Kumar Dutta transferred the amount to the saving account of several persons from incidental income of bank account, contingent interest paid on SB deposit, interest paid on Laxmi Deposit through miscellaneous income total amounting to Rs. 7,13,242/- through transferring in general system which have been credited by several account holders.



Submission of learned counsel for the petitioner is that there is no allegation that he transferred the aforesaid amount rather his I.D. was fraudulently used by the co-accused Mukul Kumar Dutta, to which, the petitioner had no knowledge and further the F.I.R. itself shows that the amount has been recovered from the account of other persons.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Araria P.S. Case No. 916 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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