

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63175 of 2019

Arising Out of PS. Case No.-762 Year-2018 Thana- SHEKHPURA District- Sheikhpura

PRAKASH PRASAD, aged about 39 years, Son of Shyam Sundar Prasad,
Resident of Village - Nair, P.S.- Makhdumpur, District- Jahanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. P.K. Sahi, Sr. Advocate and Mr. Prabhat Kumar, Advocate.
For the State	:	Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2019 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 406, 409, 420, 467, 468, 471 and 120(B) of the IPC.

The prosecution story, in brief, is that the petitioner being the Branch Manager of Bihar Gramin Bank, Kaithwan, District-Sheikhpura in between the period of 07.08.2017 to 06.08.2018 in collusion with the Office Assistant, Amit Kumar and Vikas Kumar, the guarantor of 'Grahak Seva Kendra', Gunhesa, who has got Rs. 31,95,300/- withdrawn by using Micro ATM and further allegation is that without having signature of consumer Bibha Kumari, he withdrawn the amount



of Rs. 42,000/-.

It has been submitted by learned senior counsel for the petitioner that the petitioner is languishing in custody since 01.08.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The main allegation is against co-accused Amit Kumar (ex-office assistant), son of Shantu Prasad and Vikash Kumar who happened to be the agent of 'Grahak Seva Kendra', Gunhesa. The amount in question got transferred in the bank account of the agent Vikash Kumar and his relatives. The petitioner is alleged to be the Branch Manager of Bihar Gramin Bank, Kaithwan Branch, District-Sheikhpura. At best, there can be act of negligence on the part of the petitioner. Except for this, no wrongful gain has been made on the part of the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 4,50,000/- (Rupees Four Lacs and Fifty Thousand) only in the learned court below within a period of four months which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner above named, be released on provisional bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura P.S. Case No. 762 of 2018.

Once, the aforesaid amount of Rs. 4,50,000/- (Rupees Four Lacs and Fifty Thousand) only is deposited in the learned court below within the stipulated period, the learned court below shall confirm the provisional bail of the petitioner.

(Sudhir Singh, J)

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