

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77036 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- PAUTHU District- Aurangabad

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Anuj Kumar, (Male), aged about 35 years, Son of Mahipat Ram, Resident of
Village - Shivnath Bigha, P.S.- Madanpur, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bishwajeet Kumar through the Branch Manager, Allahabad Bank, Barahi
Bazar, Aurangabad (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Kamendra Prasad Singh, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 20-12-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Pauthu PS Case No. 84 of
2018 dated 02.12.2018 instituted under Sections 420, 406 and 409
of the Indian Penal Code.

3. The allegation against the petitioner, who was the then
Branch Manager, Allahabad Bank, Barahi Bazar, in the district of
Aurangabad, is of wrongly taking Rs. 3,93,726/- from various
accounts during his tenure and upon the matter being noticed by



the higher officials, he had returned only Rs. 3,65,000/- and had kept back Rs. 28,726/-.

4. Learned counsel for the petitioner submitted that the allegation is not correct for there has been error in calculating the amount. However, it was submitted that for the present, the FIR was lodged on 02.12.2018 and the petitioner has deposited Rs. 28,726/- with the Bank on 24.12.2018. It was submitted that the petitioner having no criminal antecedent is in custody since 21.10.2019.

5. Learned APP submitted that being Branch Manager, he has kept back the amount. However, he could not controvert the fact that the petitioner had deposited Rs. 28,726/-, though after lodging of the FIR.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/-(twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Aurangabad in Pauthu PS Case No. 84 of 2018, subject to the condition that one bailors shall be a close relative of the petitioner. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or



being absent on two consecutive dates, without sufficient cause,
shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Ranjeet/Rahul

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