

Arising Out of PS. Case No.-62 Year-2019 Thana- KANKARBAG District- Patna

... .. Petitioner

1. THE STATE OF BIHAR
2. Bashistha Kumar, Son of Sri Shivesh Kumar, Unit Manager of Saija Finance, Postal Park, Kankarbagh, Patna, Bihar

Appearance :

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

2 09-07-2020 Heard Mr. Manoj Kumar, learned counsel for
the petitioner and Mr. Ram Priya Sharan Singh, learned
APP for the State.

The prayer for bail of the petitioner was earlier



rejected vide order dated 03.02.2020 passed in Criminal Miscellaneous No. 47069 of 2019.

From perusal of the aforesaid order, it appears that the petitioner was Assistant Manager of the bank in which the informant had kept Rs. 9,90,091/- in the locker but most of the amount was found missing from the locker. The Cashier of the bank had disclosed that after the locker was closed, the keys were handed over to the petitioner.

Learned counsel for the petitioner submits that he had joint responsibility of the locker and the Cashier as well as the Branch Manager were also responsible for the safe custody of locker. One of the accused persons of this case namely Himanshu Ranjan has been granted bail by a Bench of this Court vide order dated 21.05.2019 passed in Criminal Miscellaneous No. 16469 of 2019. Along with the same order, another accused namely Sandeep Kumar has also been granted bail in Criminal Miscellaneous No. 19679 of 2019. Anshuman



Parasar, who was Manager of the Bank was earlier refused bail but later he too has been granted bail as has been informed by the learned counsel for the petitioner.

In this case trial has already begun and one of the witnesses has been examined.

However, considering the nature of accusation against the petitioner and his period of custody, this Court deems it appropriate to release the petitioner on bail but on certain conditions.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Patna in connection with Kankagarbagh P.S. Case No. 62 of 2019 subject to the following conditions:- (I) the petitioner shall participate in the trial by attending the Court regularly; (II) The petitioner shall not commit any offence similar to the offence in the present case; (III) the



petitioner shall not try to tamper with the evidence or threaten the witnesses.

His unauthorized absence from the trial proceedings for two consecutive dates would entitle the Trial Court to proceed against the petitioner for cancellation of his bail.

The petition stand allowed with the aforesaid condition.

(Ashutosh Kumar, J)

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