

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47334 of 2019

Arising Out of PS. Case No.-108 Year-2016 Thana- MAHNAR District- Vaishali

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AMOD KUMAR, aged about 40 years, Male, son of Devendra Rai, Resident of Village- Bhikhanpura, P.S. Desari (Chandpur O.P.), District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Branch Manager, the Vaishali District Central Co-operative Bank Limited, Mahnar, District- Vaishali, Bihar.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

10 14-12-2020 Heard learned counsel for the parties through

Virtual Court Proceeding.

In this case, the petitioner is seeking regular bail in connection with Mahnar P.S. Case No.108 of 2016, registered for the offence under Sections 409/34 of the Indian Penal Code.

Huge cash transfer has been made in the Vaishali District Central Co-operative Bank Limited, Mahnar, in which three persons have been named and one of the accused is the present petitioner. Allegation has been made against the petitioner that while discharging the duty as clerk on contractual basis for six months in the said Bank he has transferred huge amount of different customers in his favour. It has also been



mentioned in the order of the Court below that the petitioner has purchased a land in the name of his wife for consideration of Rs.1,39,00,000/-, out of which he has already paid Rs.83,00,000/-.

The petitioner has filed an affidavit and in paragraph no.3 of the said affidavit it has been stated that he has no landed property in his own name, his wife's name or in the name of his four minor children. In paragraph no.6 of the said affidavit, it has also been stated that the petitioner has not purchased any property in his own name or in the name of his family members during his service period of six months or thereafter also.

Considering the fact that the petitioner is in custody for last two and half years and other co-accused persons have been granted bail by this Court as also the statements made in the aforesaid affidavit, let the above-named petitioner be released on ***provisional bail*** on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Vaishali, in connection with Mahnar P.S. Case No. 108 of 2016, subject to the condition that one of the bailors will be the wife of the petitioner. This is also subject to the condition that the Court



below will verify the fact as to whether the petitioner has purchased any property in his name, his wife's name, his four minor children's name or in the name of his mother or father. If it has been acted upon, in such circumstances, this order will be treated to have been cancelled, otherwise his provisional bail will be confirmed.

With the aforesaid observations and directions, this bail petition is disposed of.

(Shivaji Pandey, J)

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