

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73950 of 2019

Arising Out of PS. Case No.-225 Year-2015 Thana- MADHUBANI TOWN District-
Madhubani

Kaushal Kishore Kumar, aged about 49 years, (male), Son of Ram Lakhan
Ram Resident of Dariapur Road, Kurthaul, P.S.- Parsa Bazar, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Niyaj Akhtar, Son of A. Mazid, Chief Manager, State Bank of India,
Madhubani Branch, Madhubani, Permanently R/o Sultanganj, P.S.-
Sultanganj, Town and Distt- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dineshwar Mishra, Adv.
For the Opposite Party/s	:	Mr.Rana Randhir Singh, APP
For the Informant	:	Mr. Binod Bihari Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 15-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Madhubani Town P.S. Case No. 225 of 2015
registered for offences under sections 406, 409, 420, 467, 468,
471, 120(B)/34 of the Indian Penal Code and Section 66(B)(C)(D)
and (E) of the IT Act.

As per prosecution case, through internet banking,
one Suman Kumar has illegally transmitted Rs. 30,000,00/- from
the account of Smt. Sushila Mehta to his account and it was found
that Awadhesh Kumar and Anshu Kumar were also appearing to be
involved in the said misappropriation of money.

The charge-sheet has been filed but, the name of the



petitioner is not there but, later on, it transpired that the present petitioner has approved the unverified mobile number for SMS Alert. The investigation is going on in the present case.

Looking to the fact that the petitioner is holding the post of Assistant Manager in the Bank and there being no direct involvement of the petitioner in the misappropriation of fund, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 225 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner is repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

(Shivaji Pandey, J)

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