

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68441 of 2019

Arising Out of PS. Case No.-222 Year-2019 Thana- RAHUI District- Nalanda

=====

Jitendra Kumar, Son of Lalo Mahto @ Lala Mahto, Resident of Mohalla-Choukhandiper, P.S. Biharsharif, District- Nalanda at Present posted as Branch Manager, Nalanda Central Co-operative Bank Ltd., Hilsa , District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 24-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under sections 406, 409 and 420 of the Indian Penal Code.

As per allegation in the F.I.R, on a complaint having been filed by the Manager of the PACS, an enquiry was conducted wherein it transpired that the irregularity had been committed in withdrawal of a sum of Rs.6.5 lacs. While the withdrawal of the amount should have taken place on the joint signature of the Chairman and Manager of the PACS, on enquiry, only the signature of the Chairman of the PACS was found to be genuine.



So far as the signature of the Manager is concerned, the same did not match.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the Branch Manager of the Bank from which the aforesaid amount of Rs. 6.5 lacs was withdrawn. Learned counsel placing reliance on the order dated 24.2.2020 passed in Cr. Misc. No.50031 of 2019 submits that in view of the order of the Joint Registrar, which has been brought on record by way of a supplementary affidavit filed in Cr. Misc. No.50031 of 2019, it is submitted that once it has been found that the payments have been made after signature of both the Chairman as well as the Manager of the PACS, the petitioner should be granted anticipatory bail. It is submitted that the petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Rahui P.S. Case No.222 of 2019 is directed to be enlarged on bail on



furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st , Nalanda at Biharsharif subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

