

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80586 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAVI KUMAR CHIRANIYA @ RAVI CHIRANIYA, (Male), aged about 37 years, Son of Bajrang Chiraniya, Resident of Village- Kajwalichak Tikiya Toli Lane, P.S.- Tatarpur, District- Bhagalpur.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Ashok Paswan @ Ashok Kumar Paswan, Son of Kedar Paswan, Senior Manager, South Bihar Gramin Bank, Bhagalpur Branch, Resident of Mohalla- Adampur, P.S.- Jogshar, District- Bhagalpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Rakesh Kumar Sinha, Advocate.
For the State	:	Mr.Sanjay Kumar Tiwary, A.P.P.
For the Bank	:	Mr. Ranjeet Kumar Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-05-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the petitioner, South Bihar Gramin Bank and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences under Section 406 of the I.P.C.

The prosecution case, in short, is that the petitioner being D.J.Y. Agent having Agent Code No. 360112 of the then



Bihar Gramin Bank used to collect money from several persons in the Daily Deposit Scheme and he used to deposit the same in the respective accounts of the customers. It is further alleged that on 01.12.2018, one of the depositors, Md. Sarfraj Quereshi went to Bhagalpur Branch and got his account checked on which he found only six thousand rupees was deposited therein whereas the petitioner had taken Rs. 42,000/- out of which Rs. 36,000/- he has not deposited in the account and personally used the same. After inquiry and on being asked from petitioner, it was found that he has misappropriated more than Rs. 27 Lacs of different depositors of the Bank.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.03.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that the money collected by the petitioner from the customers on behalf of the Bank has not been deposited in the respective accounts of the customers. The petitioner has already remained in custody for more than one year. It is further submitted that the petitioner is ready to deposit an amount of Rs. 24,00,000/- (Rupees Twenty Four Lacs) only in the learned court below which shall be



subject to final disposal of the case, within a period of 24 (Twenty Four) months.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid submission, the petitioner is directed to deposit Rs. 24,00,000/- (Rupees Twenty Four Lacs) only in the learned court below, which shall be subject to final disposal of the case, within a period 24 (twenty four) months.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on provisional bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 09 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

If the entire amount in question is deposited in the court below by the petitioner within a period of twenty four months, learned court below shall confirm the provisional bail granted to the petitioner.



If the petitioner fails to deposit the said amount within the said period, learned court below shall be at liberty to cancel the provisional bail granted to the petitioner.

(Sudhir Singh, J)

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