

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.834 of 2020

Arising Out of PS. Case No.-1311 Year-2018 Thana- COMPLAINT CASE District- Banka

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DHARMENDRA KUMAR S/O Satya Narayan Prasad Resident of Village - Bakatkaram Bhigha, P.S.- Beni, District- Nalanda. At present Branch Manager, Central Bank of India, Branch Kumarpur, P.S.- Fullidumar, District- Banka

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Pawan Kumar Rao Son of Arjun Rao Resident of Village - Domodih, P.S. - Fullidumar, District- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dhirendra Nath Jha
For the Opposite Party/s	:	Mr.Md. Ataur Rahman
For the Complainant	:	Mr. Ranjan Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 24-08-2020 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 counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 406, 420, 427, 467, 468 of the Indian Penal Code in which cognizance has been taken under section 420 IPC.

The prosecution allegation, in short, is that the accused



misappropriated the money of the complainant and did not deposit the same in his account and had given false no objection certificate.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is a dispute between the two private parties in respect of a loan which was granted to them by the Bank. It is alleged that the petitioner was handed over the amount in question for deposit but there is no such documentary evidence in support of the said contention made in the complaint. The matter was referred to the Lok Adalat and final settlement was also made but later on the said settlement has been challenged by the complainant. .

On behalf of the State, it is submitted that the petitioner is named in the complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief



Judicial Magistrate, Banka in connection with Complaint Case No. 1311 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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