

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17057 of 2020

Arising Out of PS. Case No.-250 Year-2019 Thana- PIRO District- Bhojpur

SAMEER KUMAR Son of Kaushal Prasad Resident of Village-Hasan Bazar,
P.S.-Piro, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. South Bihar Gramin Bank through its Branch Manager, Hasan Bazar
Branch, P.S.- Piro, Distt- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Binod Kumar, APP
For the O.P. No.2	:	Mr. Praveen Prabhakar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the O.P. No.2.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 406, 420/34 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner withdrew Rs.1.51 lacs illegally by using biometric
technique and linking aadhar with different accounts.

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. The petitioner has



been made accused due to mistake of fact. The petitioner is not an employee of the Bank. The allegation is that there was fraudulent withdrawal of Rs.1.51 lacs from the Bank by using biometric technology. The said amount has already been recovered by the Bank. Hence no wrongful loss is said to have been caused to the Bank. It is further submitted that the petitioner is ready to deposit an amount of Rs.25,000/- (Twenty five thousand) in the court below, which shall be subject to the final disposal of the case.

On behalf of the State and learned counsel for the O.P. No.2, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs.25,000/- (Twenty five thousand) in the court below, which shall be subject to the final disposal of the case. On doing so, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro P.S. case No.250 of 2019 (G.R. No.4271 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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