

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20463 of 2021**

Arising Out of PS. Case No.-472 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Manoranjana Prasad S/O Late Bhawesh Chandra Das @ Late Bhawtosh
Chandra Das R/O Surya Bhawan, Infront Of Rai Bahadur Surya Prasad, Choti
Khanjarpur, P.S.-BARARI, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. BRANCH MANAGER, S.B.I BARARI BRANCH, BHAGALPUR
BHAGALPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Opposite Party/s : Mr.Sanjiv Kumar.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, 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, 409 and 420 of the Indian Penal
Code.

The prosecution case, in short, is that the accused
defalcated a sum of Rs. 40,000/- with the bank.

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 matter relates to the year 2013 and the case has been filed in the year 2020. The petitioner happens to be the Deputy Manager of the Branch in question where it is alleged that defalcation of Rs. 40,000/- has been made. It is further submitted that the petitioner is ready to deposit a sum of Rs. 40,000/- (forty thousand) in the court below which shall be subject to the final disposal of the case.

On behalf of the State and the Bank, it is submitted that they have no objection to the deposit being made by the petitioner in the Court below.

Considering the aforesaid facts and circumstances and also the lockdown, **on deposit of a sum of Rs. 40,000/- (forty thousand) in the Court below within a period of six weeks which shall be subject to final disposal of the case**, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 472/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



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

(Sudhir Singh, J)

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