

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29481 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- ARWAL District- Jehanabad

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AMIT KUMAR @ RAVISH KUMAR SON OF BINDESHWAR SINGH @
BINDESHWAR MANDAL @ BINDESHWAR SINHA R/O VILLAGE-
KHABAINI, P.S.- RAMPUR CHAURAM, DISTRICT- ARWAL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. BRANCH MANAGER, THE MAGADH CENTRAL CO-OPERATIVE
BANK LTD., GAYA, BRANCH- ARWAL, P.S.- ARWAL, DISTRICT-
ARWAL, BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Krishnma Pd. Singh, Sr. Advocate
		Mr. Saleet Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Binod Kumar No. 3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the

offences punishable under Sections 467, 468, 471, 420, 120B and

409 of the Indian Penal Code.

As per allegation, petitioner, who was posted as assistant

on contract basis in Magadh Central Co-operative Bank, Arwal,

withdrew a sum of Rs 909500/- from the account of Gayatri Devi by

using himself ID, putting forged signature of Gayatri Devi and using

fake cheques and in the same wrong, some other employees of the



concerned bank were also involved.

The main submissions advanced by Sri Krishna Pd. Singh, the learned senior counsel appearing for the petitioner are that the petitioner *bonafidely* committed the alleged crime having no knowledge of legal procedure and after realizing his mistake, he has deposited entire alleged amount of Rs 909500/- in the bank account of Gayatri Devi from which the said amount was withdrawn and in this regard, Branch Manager of the concerned bank sent a letter to the Police officer, Arwal police station vide Annexure 2. Further submission is that the petitioner is a government employee and is facing other administrative actions for the alleged act and victim has filed compromise petition before the court below and in the present case she has no complain against the petitioner and petitioner has been languishing in jail since 01.04.2022 and in the present case, petitioner has no criminal antecedent except present one.

Sri Binod Kumar no.3, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides, perused the FIR and mainly taking into account that the alleged amount withdrawn by the petitioner from the account of Gayatri Devi has been deposited in her account as reflected from Annexure 2, petitioner has been languishing in jail since 01.04.2022, in the opinion of this Court, a lenient approach may be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arwal in Arwal P.S Case No. 87 of 2022 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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