

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15391 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- SAMASTIPUR District- Samastipur

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Sri Umesh Kumar Rai, aged about 60 years, male, Son of Ramanand Rai,
Resident of Village - Kalyanpur, Uttari Tola, Milki, P.S. - Vibhutipur, District
- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chakrapani, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 10-02-2022 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Samastipur (Town) P.S. Case No.
18 of 2020, dated 18.01.2020, instituted for the offences
under Sections 406, 409, 420 and 34 of the Indian Penal
Code.

The In-charge Branch Manager of the Samastipur
District Central Co-operative Bank (*in short the Bank*) has



lodged a case alleging that in the year 2005, huge amount of money was defalcated. At the relevant time, the petitioner was one of the collecting agents and against whose name Rs. 9,35,490/- is outstanding.

It has been submitted on behalf of the petitioner that he had left the job of the collection agent longtime back and whatever amount was collected by him on behalf of the Bank has been deposited. Thereafter, the petitioner suffered mental illness for which he was under regular treatment of Dr. K.K. Sinha at Ranchi. However, in order to explain his *bona fides*, he had made a request to the Bank authorities for making him available the records by which it was presumed that he had not deposited certain amount in the Bank even after collecting it from the customers. When no such document was made available to him, he was constrained to file a complaint against the Bank authorities *vide* Complaint Case No. 2362 of 2019.

This Court, on 06.01.2022, had called for the case diary and had granted *provisional bail* to the petitioner.

From the perusal of the investigation reports also,



there does not appear to be any definite reason for the implication of the petitioner with such accusation.

For the reasons afore-stated, the *provisional bail* granted to the petitioner is, hereby, confirmed. He shall remain on the same bail-bonds.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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