

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42134 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- BISFI District- Madhubani

SANTOSH KUMAR Son of Jawahar Lal Resident of Om Nagar, Dhawan
Nagar, P.S- Gonda, Dist- Ranchi Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan, Advocate

For the Opposite Party/s : Mr.Umanath Mishra,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-11-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 467,468,409,420,34 of IPC.

The prosecution case, as stated, in the typed written report of the informant, Amit Murmu, Branch Manager, Uttar Bihar Gramin Bank, in brief is that as per Head Office Letter HO/OPR/13/2-21/1621 dated 23.03.2021 a direction to lodge FIR against Santosh Kumar the then Branch Manager and Niranjana Kaji the then office assistant has been received. The audit team of head office reported opening forged account and fraudulent transactions by Santosh Kumar and Niranjana Kaji



against Banking Rules. After supervision of report by Audit Team Fraud Committee of Area Office, Madhubani gave report of fraud of Rs.9,01,816.55 which has been described in 44 column. Both the said officials has been suspended.

Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the petitioner is ready to deposit Rs.4,52,574/- by way of demand draft in favour of the Bank at this stage and the Bank shall return the same to the concerned customers as mentioned in the FIR.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned court below where the case is pending in connection with Bisfi P.S. Case No. 73 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



(1) The petitioner shall deposit Rs.4,52,574/- by way of demand draft in favour of Uttar Bihar Gramin Bank at the time of furnishing bail bond.

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

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner have concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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