

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59071 of 2022

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

Niranjan Kazi S/o Shambhu Kazi R/V- Kunai, Post- Taruanwa, P.S.-
Laukariya, Distt- West Champaran(The then Office Assistant of the Uttar
Pradesh Bihar Gramin Bank, Bhoj Pandaul).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

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

According to the prosecution case, the then Bank
Manager of the Bhoj Pandaul, Branch namely, Santosh Kumar
along with the petitioner had opened the fake account against
the rule of the bank and defrauded amount.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that in fact,
the petitioner is bank clerk in Uttar Bihar Gramin Bank, Branch



Bhoj Pandaul. He further submits that the allegation as alleged in the F.I.R. is that the petitioner and the bank manager in connivance with the other person have opened forged accounts. He further submits that prudent transactions are done by the petitioner and the co-accused person, namely, Santosh Kumar who is the manager of the bank. He further submits that the co-accused person, namely, Santosh Kumar has been granted bail vide order dated 14.11.2022 passed in Cr. Misc. No. 42134 of 2022 and he has already deposited Rs. 4,52,574/- by the way of demand draft in favour of the bank and the bank authorities have returned the same to concerned customers as mentioned in the F.I.R. He further submits that the case of the petitioner stands on better footing.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the 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. 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 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. 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 has concealed his criminal antecedent, 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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