

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46654 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- KHAJAU LI District- Madhubani

Hare Ram Kumar S/O Rajendra Mahto R/O Village- Khajauli, P.S- Khajauli,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-09-2023 Heard Mr. Ravi Prakash, learned counsel for the
petitioner and learned APP for the State.

2. The Petitioner is apprehending his arrest in connection with Khajauli P.S. Case No.68 of 2023, registered for the offences punishable under Sections 419, 420, 467, 120(B) of the Indian Penal Code.

3. Allegedly, the petitioner who happens to be operator of CSP Center, Khajauli affiliated with SBI Branch illegally withdrew excess amount of the customers deposited by them and in course of inquiry it has been found true that the petitioner has fraudulently withdrawn the excess amount from the accounts of various customers, who have been holding the Bridha Pensioner account.

4. Learned counsel appearing on behalf of the



petitioner submits that the occurrence took place on 09.07.2022, however, the present FIR has been lodged on 11.04.2023 and no satisfactory explanation has been given. While the petitioner was working with Sanjivani Vikash Foundation some differences had arisen which resulted into lodging of the FIR. He further submits that during the course of inquiry, when it has been found that some amount has been illegally withdrawn by the petitioner excessively, then all the stakeholders sat together and a settlement has been arrived at and in terms thereof the petitioner has already deposited the alleged excess amount in the respective account of the A/C holders. He submits that the aforesaid facts also be corroborated from the document appended to the FIR. He next submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceedings of the Court.

5. On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner has accepted his misdeeds and deposited the excess withdrawn amount but that cannot absolve him from his guilt.

6. Regard being had to the submissions made on behalf of the parties and considering the settlement arrived at amongst all the stakeholders, coupled with the fair antecedent of



the petitioner and his undertaking, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Madhubani, in connection with Khajauli P.S. Case No.68 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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