

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48731 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- DAUDNAGAR District- Aurangabad

MANISH KUMAR MISHRA S/o Surendra Mishra Resident of Village-
Hathisar, P.O.- Basantpatti, P.S.- Purnahiya, Hathsar, District- Sheohar, Bihar
Pin Code- 843334.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate
Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

The petitioner apprehends his arrest in connection
with Aurangbad, Daud Nagar P.S. Case No. 114 of 2021 for the
offence registered under Sections 420, 467, 468 and 409 of the
Indian Penal Code.

As per the prosecution story, the Branch Manager
gave written report that the petitioner was the then Branch
Manager of the said Bank and he illegally withdrawn cash for
the several 'Jeevika' groups between 02.08.2019 to 10.02.2019
to the tune of Rs. 24,68,000/- but the said money never reached
to the 'Jeevika' account holders. Accordingly, the FIR was



lodged.

Mr. Vikram Deo Singh, learned counsel for the petitioner fairly submits that without accepting the allegation made in the FIR, the petitioner wants to return the amount to the Bank as per the loss assessed by it i.e. Rs. 24,68,000/- (Twenty Four lakhs and Sixty Eight Thousands). He submits that presently he is ready to pay Rs. 15 lakhs and rest he will be paying within 90 days from today.

In view of the aforesaid fair submission herein of returning Rs. 24,68,000/- as also the fact that the petitioner do not have any criminal antecedent and is ready to co-operate in the investigation and also appear before the bank officials/police as and when required, this Court is inclined to grant him relief subject to payment of Rs. 15 lakhs within a fortnight from today to the concerned Bank through demand draft issued by local State Bank of India branch to be submitted before the '*Nazarat*' of the concerned Court. It will be released in favour of the Bank concerned through its *bona fide* official and rest of the amount will be paid within 90 days from today.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of



Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad in connection with Daudnagar P.S. Case No. 114 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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