

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52454 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- KAUWAKOL District- Nawada

Naresh Mistri @ Naresh Mistry, son of Late Vishu Mistry Village- Mathgulni,
Po- Barigulni, Ps-Pakribarawan, Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amarnath Barnwal, S/o Satish Prasad, the then Branch manager Dakshin Bihar Gramin Bank, Branch-Mahudar , Nawada Resident of Main road kirana shop warisaliganj, P.O and P.S.-Warisaliganj, Distt.- Nawada PIN-805130.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nityanand Mishra
For the Opposite Party/s :	Mr.Md. Fahimuddin
	Mr.Ranjeet Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-10-2024 1. Heard learned counsel for the petitioner, the learned counsel appearing on behalf of the Bank and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 420, 409, 379, 467, 468, 477(A) and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent. It is next submitted that similarly situated co-accused Chandra Bhusan Prasad had approached this Court seeking anticipatory bail



application by filing Cr. Misc. No.55281 of 2024 and the same was allowed by an order 02.09.2024. It is submitted that Chandra Bhushan Prasad was the Branch Manager of the concerned Bank while petitioner is Office Assistant. It is also submitted that this Court while granting the privilege of anticipatory bail to Chandra Bhushan Prasad had considered the case on merits in detail. It is also submitted that case of the petitioner, if not akin, is similar to that of Chandra Bhushan Prasad and thus, based on parity seeks anticipatory bail. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

4. Learned A.P.P. as well as the learned counsel appearing on behalf of the Bank opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Kawakol P. S. Case No.132 of 2024, subject to



the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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