IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58233 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- TARAPUR District- Munger

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Dharamnath Prasad @ Dharam Nath Prasad son of Sri Shivjee Prasad Village- Hussaini, P.S. Dumaria Ghat, Dist- East Champaran, R/o- Motihari Ps- Dist- Motihari PA- Managing Director, the Jamui Munger Central Cooperative Bank Munger

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bindhyachal Rai
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-09-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 332, 389, 420, 411/34 of the Indian Penal Code.

3. As per prosecution case, when the complainant/ informant was Branch Manager in Munger Branch of Munger Jamui Central Co- operative Bank (for short “Bank”), due to some technical error, loan account of some body was closed and as per direction of Managing Director of the Bank, money was reversed. It is further alleged that after retirement, on 13.07.2023, the complainant / informant received a letter from the Bank and when he went there, the Managing Director (petitioner) and Branch Manager of the Bank threatened him to

implicate in false case and made him to swear affidavit stating therein that he mistakenly deposited money of Dilip Kumar Yadav in personal account of Dilip Kumar and thereafter, the complainant was threatened to pay the money and under threatening, total Rs. 96,304/- was deposited by him on different dates and still he is receiving threatening.

4. Learned counsel for the petitioner submits that from bare perusal of complaint, it is apparent that complainant/informant was posted as Branch Manager in the aforesaid Bank and was solely responsible for all kinds of transactions, which were carried out in the said branch. He further submits that the informant received letter on 13.07.2023 from the Bank and he went and deposited aforesaid money there on 3 different dates i.e. 05.09.2023, 06.10.2023 and 07.11.2023, but complaint has been lodged after a delay of 5 months i.e. in the month of February, 2024 and there is no plausible explanation of delay. Learned counsel lastly submits that in order to save his own skin from the irregularity in transaction during his period as Branch Manager of the Bank, he has lodged this false and concocted case.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged 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 A.C.J.M. -III, Munger in connection with Tarapur P.S. Case No. 37 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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