

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55281 of 2024

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

Chandrabhushan Prasad Son of Late Kamleshwar Prasad R/V-Mohalla-
Amber Panchagnwa, PO- Biharsharif, Nalanda, Bihar- 803101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Kumar, Advocate
		Mr. Abhishek Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2024 Heard learned counsel for the petitioner as well as
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, 477A, 34 of the IPC in connection with Kawakol P.S. Case No.132 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges inspection and audit team carried an inspection from 15.01.2024 to 09.02.2024 of the Branch of various branch of the bank, when it transpired that from Mahudar Branch of the Dakshin Bihar Gramin Bank illegally an amount of Rs.41,63,325/- was withdrawn from 141 KCC loan account and an amount of Rs.1,22,600/- was withdrawn from two saving



accounts.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated being Branch Manager of Mahudar Branch of Dakshin Bihar Gramin Bank. It is further submitted that petitioner was appointed with the Bank in the year 1990 and thereafter got two promotions and was posted as the Branch Manager of the concerned Branch when the FIR came to be instituted with the aforesaid allegation. It is also submitted that Office Assistant Naresh and Cashier Amarjeet in conspiracy withdrew the amounts as alleged in the FIR illegally from the user ID of the petitioner which was without biometric. It is further submitted that it absolutely does not stand to reason that the petitioner would have misused his own ID for committing the offence and thus would have created evidence against himself and hence would have been implicated easily. It is also submitted petitioner will not abscond rather will cooperate in the investigation to prove his innocence. It is also submitted that a departmental proceeding was also initiated against the petitioner in which petitioner has filed his reply, but then till date charges have not been framed for the reason that the bank till date has not been able to gather any material connecting the petitioner with the offence.



5. The learned APP opposes the anticipatory bail application.

6. 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 District and Sessions Judge, 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.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application 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, in that event, the learned trial court shall be at liberty to cancel the anticipatory bail bonds of the petitioner.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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