

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53490 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

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UTKARSH SRIWASTVA SON OF SRI RAJ KUMAR SRIVASTAV RESI-
DENT OF MOHALLA - MARIPUR, P.S. - KAZIMOHAMMADPUR, DIS-
TRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR PATNA
2. THE UTTAR BIHAR GRAMIN BANK, THROUGH ITS CHAIRMAN,
HEAD OFFICE, KALAMBAGH CHOWK, MUZAFFARPUR MUZAF-
FARPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Verma
For the Opposite Party/s:		Mr. Manoj Kumar
For the Bank	:	Mr. Prabhakar Jha
		Mr. Amitesh Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 15-01-2024 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 409, 420, 34 of the Indian Penal Code.

3. Allegedly, the petitioner in association with other co-accused person is said to have have been involved in the embezzlement of Rs.78,64,759.80/- through different bank accounts.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation lev-



elled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. It is further submitted that the petitioner has co-operated in the departmental proceedings. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the Uttar Bihar Gramin Bank opposed the prayer for anticipatory bail. It is submitted by the learned counsel appearing on behalf of the Bank that the petitioner may be released on bail with a condition that she will co-operate in the entire departmental proceedings as well as in the investigation.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bhramapura P.S. Case No.07 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the petitioner is directed to co-operate in the Departmental proceedings as well as in the investigation. If it is



found that the petitioner is not co-operating in the Departmental proceedings or in the investigation, then the Bank shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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