

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56171 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- GOVINDPUR District- Nawada

Pramod Kumar Son Of Umesh Pandey Resident Of Village - Ketra, Police
Station - Fatehpur, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nazir Hussain S/o- Jasimuddin, R/o- Village- Kashipur, P.S- Jai No, District-
24, South Paragana (W.B.) At present- Area manager Bandhan Bank
Govindpur, P.S.-Govindpur, Dist.-Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 25-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Govindpur P.S. Case No. 194 of 2024 for the offence under Sections 419/420 of the Indian Penal Code lodged on 25.06.2024 by the informant, Nazir Hussain.

3. As per the prosecution story, the informant alleged that the petitioner despite being ousted from the Bandhan Bank, was collecting the amount from customers and collected around Rs.87,600/-. He was caught, also received minor injury which led to the F.I.R.

4. Learned counsel for the petitioner, with the help of the seizure list, has submitted that out of Rs.87,600/-, Rs. 50,000/- was immediately handed over to the concerned police station, which forms part of the F.I.R., under bona-fide belief that he will be taken back by the Bank, was collecting the amount but now, the



bank has decided not to retain him and the last submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner on it own would like to pay a lump-sum of Rs.40,000/- in the name of concerned Bandhan Bank through Demand Draft issued by the local State Bank of India branch to be submitted before the concerned Trial Court.

5. Learned APP opposes the prayer for bail submitting that despite being ousted from the bank, he was collecting the amount.

6. Considering the submission put forwarded by the parties as also that FIR is there, he will be facing the music, do not have criminal antecedent, out of Rs.87,600/-, Rs.50,000/- was presented before the police and is ready to pay the rest lump-sum amount of Rs.40,000/-, though he was in custody since 26.2.2024, on 19.8.2024, the co-ordinate Bench has granted provisional bail, in that background, this Court confirms the provisional bail granted to him subject to payment of Rs. 40,000/- in the name of concerned Bandhan Bank as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. The provisional bail granted to the petitioner on 19.08.2024 stands confirmed with following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and the failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of bail bond.

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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