

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67028 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- KARPI District- Jehanabad

Rakesh Kumar S/O Suresh Bind R/O Village- Karpi, P.S- Karpi, Distt.-
Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Adv. Mr. Dhananjaya Nath Tiwari
For the State	:	Mr. Chandra Bhushan Prasad
For the D.B.G.B.	:	Mr. Ranjeet Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-05-2024 Heard learned senior counsel for the petitioner, State
and informant / *Dakshin Bihar Gramin Bank*.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 379, 420 of the Indian Penal Code and Section 66(c)(d) of the I.T. Act.

3. As per the prosecution case, on 21.10.2022, the informant withdrew amount of Rs. 5,000/- from Dakshin Bihar Gramin Bank (DBGB), bearing A/c No. 71080100197646 through biometric system from the CSP operated by the petitioner. It is further alleged that on 02.01.2023 she went to DBGB Karpi branch and withdrew the amount of Rs. 22,000/- on the above mentioned bank account and on updation of her passbook, she came to know that from 21.2.2022 to 28.12.2022



an amount of Rs. 70,000/- has been illegally withdrawn from her above-mentioned bank account and on complaint before the concern bank manager, the petitioner alleged to have admitted that he illegally withdrew the amount of Rs. 10,000/- from the bank account of the informant and accordingly, the present case was registered.

4. Without admitting the allegation made in the F.I.R., learned senior counsel for the petitioner submits that petitioner is ready to refund Rs. 10,000/- (Rupees ten thousand) to Dakshin Bihar Gramin Bank, for which, learned counsel for the Bank does not oppose.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 Judicial Magistrate 1st Class, Arwal in connection with Karpi P.S. Case No. 03 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall refund **Rs. 10,000/-** (ten thousand) through Bank Draft in favour of Dakshin Bihar Gramin Bank, Karpi Branch,



Arwal.

(B) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail of petitioner without going into the merit of the case.

(Prabhat Kumar Singh, J)

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