



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5047 of 2015

Arising Out of P.S. Case No. - 342 Year- 2014 Thana - JAHANABAD District- JEHANABAD

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Niraj Kumar Sinha @ Niraj Kumar @ Munsiraj Kumar Sinha, son of Sri
Gopal Prasad, Resident of Mohalla - Thakurwari Road, Police Station -
Jehanabad, District - Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Abhay Kr. Roy, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-03-2015 Heard both sides.

The petitioner seeks bail in a case under Sections
406/34 of the Indian Penal Code.

The informant made allegation that while he was
suffering from liver ailment, the petitioner was working as a
Munshi in the firm of the informant and he made interpolations in
the accounts; took away different cheques, bearing nos. 023147 to
023150; Cheque No. 023134 is still traceless, and thereby,
committed breach of trust of several lakhs of rupees.

Learned counsel for the petitioner submits that from
perusal of Annexure-6, it would appear that the petitioner



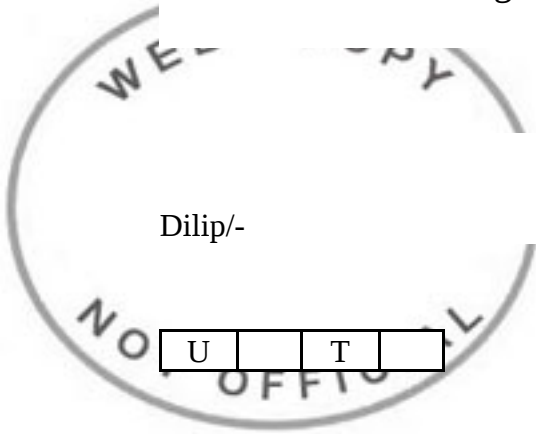
accompanied the informant to Lucknow on 26.02.2013 and the petitioner again accompanied the informant from Lucknow to Patna on 06.03.2013. It is further submitted that from perusal of the statements of A/C No. 497620110000109, it would appear that the informant himself issued Cheque Nos. 23147, 2348, 23149, 23107, 23109, 23128, 23129, 23130 and 23135. Cheque No. 23150 has not been encashed as yet. The informant issued the aforesaid cheques to R. Raj, S.K. Singh, M. Kumar, C. Kumar, P. Kumar, R. Kumar, D. Prasad and not in favour of the petitioner. The petitioner did not commit any criminal breach of trust. Pintu Kumar has already lodged a case against the informant for dishonouring of the cheque.

On the other hand, learned counsel for the informant submits that the petitioner took away lakhs of rupees of the informant.

On perusal of the record, it appears that except the allegations, the informant has not produced any chit of paper to show that the petitioner has committed any criminal breach of trust and took away any money from the informant.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Chief Judicial
Magistrate, Jehanabad in Jehanabad P.S. Case No. 342 of 2014.



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(Prabhat Kumar Jha, J)