

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11231 of 2015

Arising Out of PS.Case No. -436 Year- 2013 Thana -CIVIL LINE District- GAYA

- =====
1. Ashwani Kumar Sharan @ Raushan son of Sadhu Sharan, resident of mohalla Shamir Takkyia near Cholara hospital , Chandchaura P.S. Civil lines, Dist. Gaya
 2. Ashok Kumar son of Nathun Prajapat resident of mohalla near Prabhat Medical hall, Bageshwari Gumti P.S. Delha Dist. Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s Mr. A.L.Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 21.05.2015

Heard learned counsel for the petitioners as well as learned

Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Civil Lines P. S. case no. 436/2013 registered under sections 467, 468, 420 and 379/34 of the Indian Penal Code.

According to the prosecution case itself, informant handed over cheque amounting to Rs 1, 50,000/- to the petitioners to deposit the same in his account and later on, on the same day, petitioners handed over deposit slip to the informant but later on, it came to light that amount had not been deposited in the account of informant rather it was withdrawn on 6.9.2013.

Para 49 of the case diary reveals that Investigating officer verified from Bank Manager regarding genuiness of deposit slip and the Bank Manager informed the Investigating officer that no cheque

had been deposited in his bank on 3.9.2013 and furthermore, para 55 of the case diary reveals that the cheque in question was produced on 6.9.2013 and cash payment was made.

Considering the facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioners on anticipatory bail and accordingly, their prayer for anticipatory bail in connection with Civil Lines P. S. case no. 436/2013 pending in the court of the Chief Judicial Magistrate, Gaya stands rejected.

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(Hemant Kumar Srivastava,J)

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