

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31508 of 2015**

Arising Out of PS.Case No. -27 Year- 2015 Thana -KATORIA District- BANKA

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Shankar Sharma S/o Late Chartugan Rana, R/o Village-Chhatukrum Post &  
P.S- Katoria, District- Madhubani. .... Petitioner/s

Versus

The State of Bihar .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**

**ORAL ORDER**

3 29-10-2015

Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection  
with Katoria P.S.Case No. 27 of 2015 registered under sections  
467, 468, 420, 406 and 120B of the Indian Penal Code.

Case diary in the present case was called for which has  
been received.

Learned counsel for the petitioner submits that the name  
of the petitioner has been mischievously brought in the present  
case. He is merely an auto-driver who had carried the husband of  
the Secretary of the school. It is submitted that the entire amount  
had been withdrawn by the husband of the Secretary, namely,  
Tahir Ansari whose wife Podina Bibi was the Secretary of the  
school. It was she along with her husband who had committed  
theft of leaf of the cheque book which bears the forged signature  
of the informant and they had illegally withdrawn a sum of Rs.

1,99,000/- in the name of the petitioner, Shankar Sharma. It is further submitted that CCTV coverage shows presence of the said Tahir Ansari, husband of Pudina Bibi in the bank at the relevant point of time which has been duly certified by the Branch Manager of the concerned bank.

Learned counsel appearing on behalf of the State submits that the said fact has come forward in the case diary at paragraph 5 and, therefore, the petitioner being innocent may be extended privilege of anticipatory bail.

Considering the nature of allegation and the materials which have surfaced in the case diary and also that he has no criminal history, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released 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 Chief Judicial Magistrate, Banka in connection with Katoria P.S.Case No. 27 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Anjana Mishra, J)**

Md.S./-

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