

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50344 of 2014

Arising Out of PS.Case No. -148 Year- 2014 Thana -JAHANABAD District- JEHANABAD

1. Sunil Kumar son of Mahendra Prasad, resident of village - Pachrukhiya,
Police Station - Kako, District - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 26-08-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

By way of filing an application under section 438 of
the Code of Criminal Procedure, the petitioner seeks anticipatory
bail in connection with Jehanabad (Kalpa) P.S. Case No. 148 of
2014 registered for the offences punishable under sections 420,
467, 468 and 471 read with 34 of the Indian Penal Code.

It is contended that the co-accused Saroj Kumari,
proprietor of M/s Shivam Enterprises, Jehanabad having identical
allegation to that of the petitioner has already been granted
anticipatory bail by the learned Sessions Judge, Jehanabad by
order dated 07.11.2014 passed in A.B.P. No. 229 of 2014. Further
contention is that the petitioner has no role in the alleged offence
and it was the officials of the Bank, who were primarily
responsible to make the verification for the purpose of

advancement of loan. If any beneficiary has produced false land possession certificate, it was for the authorities of the Bank to get the same verified through field officers and the petitioner was simply a supplier of the articles for which loan was advanced. It was none of his duty to verify the papers of land possession certificate of the beneficiaries, which are alleged to be forged and fabricated.

Learned counsel for the State has opposed the prayer for bail.

Regard being had to the nature of the offence and the defence taken by the petitioner, in the event of arrest or surrender before the court below within six weeks from today, the petitioner Sunil Kumar is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Kalpa) P.S. Case No. 148 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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