

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13204 of 2015

Arising Out of PS.Case No. -93 Year- 1996 Thana -MAHISI District- SAHARSA

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1. Badri Nath Choudhary son of Late Dukh Mochan Choudhary, resident of Chanpura, P.S.- Benipatti, District- Madhubani, the then Branch Manager, P.N.B. Gandoul Branch, P.S. + District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 29-06-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Mahishi P.S. Case No. 93 of 1996 registered under sections 406, 419, 420, 467, 468, 472, 120-B/34 of the Indian Penal Code.

The accusation against the petitioner is that he being the Branch Manager of the Bank illegally sanctioned loans in collusion with middle persons.

It would appear that the petitioner filed anticipatory bail petition before the learned Sessions Judge vide A.B.A. No. 50 of 1997 but the aforesaid A.B.A. No. 50 of 1997

was rejected. However, the arrest of the petitioner was stayed by the D.I.G. of Police sometime in the year 1997 and the investigation against the petitioner was kept pending. Furthermore it would appear from the case diary that in the year 2007 accusation against the petitioner was found true and, accordingly, the I.O. was directed to arrest the petitioner. Thereafter the petitioner filed this petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner, in the event of arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in Mahishi P.S. Case No. 93 of 1996 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Hemant Kumar Srivastava, J)

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