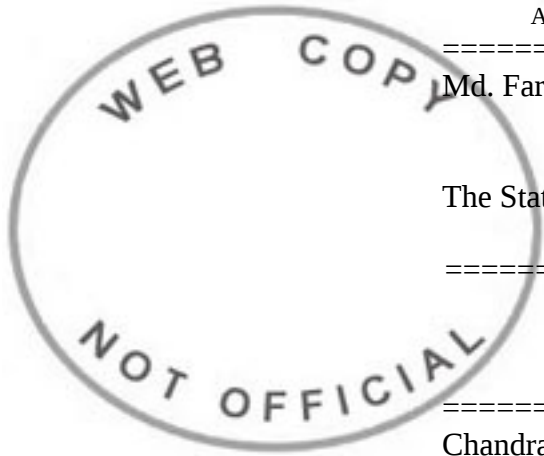




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32449 of 2013

Arising Out of PS.Case No. -74 Year- 2013 Thana -ALOULI District- KHAGARIA

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Md. Faruque Azam S/O Late Abdul Karim
..... Petitioner/s

Versus

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

=====

with
Criminal Miscellaneous No.32218 of 2013

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Chandra Kishor Pd. Singh Son Of Shri Bodhan Singh
..... Petitioner/s

Versus

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

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with
Criminal Miscellaneous No.33528 of 2013

Arising Out of PS.Case No. -74 Year- 2013 Thana -ALOULI District- KHAGARIA

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1. Pankaj Kumar Mishra S/O Sri Kashinath Mishra
2. Gaurav Kumar S/O Sri Gopal Prasad Singh
..... Petitioner/s

Versus

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

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Appearance :
(In Cr.Misc. No.32449 of 2013)
For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh-I(App)
(In Cr.Misc. No.32218 of 2013)
For the Petitioner/s :
For the Opposite Party/s : Mr. Md.Sufiyan (App)
(In Cr.Misc. No.33528 of 2013)
For the Petitioner/s : Mr. Ramesh Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Nasim Yahia (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

9 02-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners namely Md. Faruque Azam, the Sr. Branch
Manager of Bihar Regional Gramin Bank, Alauli (in Criminal

Miscellaneous No.32449 of 2013), Chandra Kishor Prasad Singh, the Ex Head Master, Middle School, Amaba (in Criminal Miscellaneous No.32218 of 2013), Pankaj Kumar Mishra, Cashier and Gaurav Kumar, Peon (in Criminal Miscellaneous No.33528 of 2013) in the Bihar Kshetriya Gramin Bank, Alauli are apprehending arrest in a case registered for the offences punishable under Sections 409/34, 120B of the Indian Penal Code.

It is alleged by the informant the headmaster of the school that cheque of five lakhs fifty thousand was issued with the forged signature of the then headmaster Uday Chandra Prasad Singh and the then Panchayat Secretary of the School Committee namely Munni Devi in favour of one Rohit Kumar. The informant came to know about the said cheque in his name when the cheque book was not handed over to the informant by the then headmaster. The report of the FSL dated 27.03.2014 has been brought on record by way of supplementary affidavit which reflects that the specimens signature of the then Headmaster and Secretary of the school did not tally with the signature on the cheque. A further show cause has been filed on behalf of Superintendent of Police suggesting that the cheque was passed by one Mohan Kumar Jha, the Assistant Manager of Bihar Regional Gramin Bank, Alauli though the payment was made by the cashier Pankaj Kumar Mishra but it is submitted that the signature being tallied by Mohan Kumar Jha. There is nothing on record in the show that petitioners Pankaj Kumar Mishra and Md. Faruque Azam have any occasion to verify and examine the signature on the cheque.

Considering the specific accusation against Mohan Kumar Jha, who passed the cheque and Rohit Kumar, who withdrew the money, let the above named petitioners be released on anticipatory bail, in the event of

arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Allauli P.S. Case No.74 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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