

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35956 of 2015

Arising Out of PS.Case No. -283 Year- 2013 Thana -SIMRI BAKHTIARPUR District- SAHARSA
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Raushan Kumar @ Babloo Yadav Son of Shri Shiv Narayan Prasad Yadav
resident of village - Nainpur, P.O. Paharpur Bazar, P.S. Simari, District -
Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party
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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad, Adv.

For the Opposite Party/s : Ms. Dr. Indihar Kumari (App)
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 05-11-2015 Heard both sides.

The petitioner apprehends his arrest in Bakhtiarpur
P.S. Case No. 283/2013, registered for the offences punishable
under Sections 420, 467, 468 of the Indian Penal Code.

The gist of allegation is that some persons withdrew
Rs. 6,57,700/- from the head of salary of teachers through three
cheques in collusion with Bank officials.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has not committed any offence. The
name of the petitioner figured in the confessional statement of
Ranvir Yadav that the petitioner took photographs and the form
duly signed by Ranvir Yadav and handed over the same to one



Zadeza, a Bank employee. It was found that Ranvir Yadav and Sanjay withdrew the amount from the account of Education Department meant for payment of salary of teachers. The petitioner did not receive any amount. The petitioner handed over photographs to the Bank officials, but neither identified the accounts holder nor received any amount withdrawn from the account of Education Department.

It is submitted that Sanjay Kumar and Ranvir Yadav withdrew the entire amount from the account of the Education Department.

Learned Additional P.P. submits that the petitioner helped Ranvir Yadav, who happens to be his relative, in opening the account, but the account was opened in the name of Sanjay Kumar, on which the photographs of Ranvir Yadav was affixed.

It appears that the name of the petitioner figured in the case in the confessional statement of Ranvir Kumar, but the petitioner did not put any signature on any of the papers nor the amount was withdrawn by the petitioner, rather the amount was withdrawn by Sanjay Kumar and Ranvir Yadav.

Considering the facts aforesaid, the petitioner above named in the event of his 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, is directed to be enlarged on anticipatory 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, Saharsa in connection with Bakhtiarpur P.S. Case No. 283/2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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