

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18966 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

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Anil Kumar Sah Son of Ramnath Sah, resident of Village- Majia, P.O.-
Baksama, P.S.- Goraul, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate.

For the Opposite Party : Mr. Dr. M.K. Gautam (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 27-07-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Goraul Police Station Case No. 20 of 2016, disclosing offences under Sections 420, 465, 467, 468, 471, 406, 409 and 120(B) of the Indian Penal Code.

The petitioner had deposited a sum of Rs. 7, 30,000/- in Term Deposit Account with the State Bank of India, Goraul Branch, having its maturity dated 02.07.2015, for which a receipt was issued on 02.04.2014. Allegedly, he pledged the deposit receipt in favour of Excise Superintendent, Excise Department, Government of Bihar, Hajipur, on the basis of a certificate issued on 02.04.2014 by the then Accountant of the Bank. Thereafter, he fraudulently got issued a duplicate receipt for the said deposit and

on that basis he availed a loan of Rs. 5, 80, 000/- on 20.05.2014 against the same deposit. He accordingly misappropriated a total sum of Rs. 8, 22, 854/-.

Learend Counsel appearing on behalf of the petitioner has submitted that the allegations against him are based on records and it is purely a matter of accounting. According to him, there is no chance of tampering with the evidence, if the petitioner is granted anticipatory bail, in the facts and circumstances of the case.

Considering the submission as above, this application is allowed.

Let the petitioner, Anil Kumar Sah, in the event of his arrest or surrender before the Court below within six weeks, 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 Sub Divisional Judicial Magistrate, Vaishali at Hajipur, in connection with Goraul Police Station Case No. 20 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J.)

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