

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12401 of 2016

Arising Out of PS.Case No. -402 Year- 2015 Thana -BARAUNI District- BEGUSARAI

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Ram Niwas Singh, Son of Sri Bishundeo Singh, resident of Village-
Jagatpura, Police Station- Matihani in the district of Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr.Adv.
Smt. Anita Kumari Singh, Adv.
Mr. Abhishek Anand, Adv.

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 10-05-2016 Heard learned counsel for the petitioner and the learned

Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Barauni (F.C.I.) P.S.Case No. 402/2015, disclosing offences
under sections 467, 468, 471, 420 of the Indian Penal Code.

It is alleged that the petitioner had presented cheque for an
amount of Rs.12,11,000/- issued by one Ganesh Prasad Singh in
his favour, to be deposited in his (petitioner's) account. On some
suspicion with respect to genuineness of the cheque amount, Bank
officials contacted the said Ganesh Prasad Singh, who had issued
the cheque. He disclosed that he had issued a cheque for an
amount of Rs. 2,11,000/- only. The amount, which was transferred

in the account of the petitioner, was immediately restored in the account of the said Ganesh Prasad Singh. With this allegation, made in the written report of the Branch Manager of Bihat Branch of the State Bank of India, F.I.R. came to be registered.

Learned Senior counsel, appearing on behalf of the petitioner, has submitted that Ganesh Prasad Singh has not made any complaint before any authority with respect to the cheque amount. It has further been submitted that no case of misappropriation, cheating or forgery is made out in view of clear stand taken by Ganesh Prasad Singh in his communication dated 16.12.2015, addressed to the Branch Manager of the concerned Bihat Branch of the State Bank of India.

Considering the submissions and the nature of allegation, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Chief Judicial Magistrate, Begusarai in Barauni (F.C.I.) P.S.Case No. 402/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall

present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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