

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5974 of 2016

Arising Out of PS.Case No. -96 Year- 2014 Thana -MADHEPURA District- MADHEPURA

1. Mani Bhushan Singh S/o Sri Deep Narayan Prasad resident of Village- Nehalpatti, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Renu Kumari(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-02-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Madhepura Police Station Case No. 96 of 2014, disclosing offences under Sections 467, 468, 469, 471, 420, 120(B)/34 of the Indian Penal Code.

The case of the prosecution, in brief, is that the petitioner, on the basis of a forged check, got transferred a sum of Rs. 2,33,000/- in his account of State Bank of India, from the account of "Libra Hyundai" and subsequently withdrew the amount through his ATM Card. Upon being queried by the Bank Officials, when the withdrawal was detected to be not genuine, the petitioner is said to have

disclosed that the said cheque was given to him by his hostel mates, who had asked him to deposit the said cheque in his account which he did and subsequently withdrew the amount and paid the same to his said hostel mates.

Learned Counsel appearing on behalf of the petitioner submits that it is evident from the First Information Report that the amount illegally withdrawn from the account of "Libra Hyundai" has since been deposited in its account (Libra Hyundai). He accordingly submits that since the entire prosecution case rests on the documentary evidence, there is no chance of petitioner tampering with the evidence in course of investigation or at the trial.

Considering the aforesaid submissions, this application is allowed.

Let the petitioner, Mani Bhushan Singh, 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 Chief Judicial Magistrate, Madhepura, in connection with Madhepura Police Station Case No. 96 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal

Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the same 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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