

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32120 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI

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Gautam Kumar @ Gautam Kumar Jha S/o late Satyanarayan Jha R/o
Village- Bardaha, P.S. Babubarhi ,District Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 22-09-2016 Heard both sides.

The petitioner apprehends his arrest in Madhubani Town P.S. Case No. 85/2016, registered for the offences punishable under Sections 406, 409, 420, 467, 468, 471 and 34 of the Indian Penal Code.;

The informant alleged that in Swaksha Bharat Mission different persons had committed illegality and irregularity and withdrew huge amount by interpolating in the cheques. A cheque bearing no. 992498 dated 31/08/2015 of Rs. 27,285/- was issued in the name of Gautam Kumar, Block Co-ordinator, but making interpolation in the cheque Rs. 2,27,285/- was withdrawn on 16.09.2015. Excess amount was withdrawn by different persons from the different cheques issued by the department.

Learned counsel for the petitioner submits that the petitioner did not make any interpolation. The photocopy of the cheque issued in favour of the petitioner is annexed to the FIR at page 30 and it appears that the cheque was issued for Rs. 2,27,285/-. The petitioner has already deposited Rs. 2,00,000/- in the Bank. Hence, the petitioner may be enlarged on anticipatory bail.

On the other hand, learned Additional P.P. has submitted that in para 5 of the case diary, the informant has stated that cheque of Rs. 27,285/- was issued in the name of the petitioner and Rs. 2,27,285/- was credited in the account of the petitioner.

From a bare perusal of the record it appears that some interpolation was made in some of the cheques and digit '2' was also inserted in the deposit column. The authority verified the register and it was found that cheque of Rs. 27,285/- was issued but Rs. 2,27,285/- was withdrawn by the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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