

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24368 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -KANKARBAGH District- PATNA

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1. Diwakar Kumar Mandal @ Gulshan Kumar @ Rohit Son of Binod Kumar Singh @ Binod Singh @ Binod Kumar, Resident of Village- Katari, P.S.- Korma, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Manager, Central Bank of India, Lohia Nagar Branch, Kankarbah, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Kankarbagh P.S. Case No. 265 of 2016 instituted for the offence under Sections-467, 468, 469, 471/120(B) of the Indian Penal Code.

It has been submitted that the petitioner is in custody since 24-04-2016.

It is alleged that one cheque amounting to Rs. 4,38,385/- was deposited in the account of this petitioner on 25-04-2016 which was newly opened account. The bank did not encash the cheque on the ground that KYC has not been presented in the bank. However, on 26-04-2016, when this petitioner came for receiving the ATM card, then on inquiry about deposit of the



cheque in his account, he could not give proper reply and, thereafter, the Branch Manager of the bank contacted the account holder of Federal Bank who disclosed that the cheque which had been presented in his account has been issued in favour of “Babubali International Ltd. Kolkata”. Thereafter, this petitioner was handed over to the police.

It has been submitted on behalf of the petitioner that from the written report itself, it will be apparent that money was not credited in the account of this petitioner. He has further submitted that the petitioner has already remained in custody for more than one year.

In such circumstances, keeping in view the period spent by the petitioner in custody, the prayer for bail is allowed and the petitioners named above, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kankarbagh P.S. Case No. 265 of 2016 to the satisfaction of Smt. Smita Raj, learned Judicial Magistrate-Ist Class, Patna subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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