

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50439 of 2017

Arising Out of PS.Case No. -238 Year- 2017 Thana -BANKA District- BANKA

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Manoj Kumar Maholi, S/o Sridhar Maholi, R/o Village-Kajhiya, P.S.
Banka, District-Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Banka
P.S. Case no. 238 of 2017 registered for the offence punishable
under Sections 420, 467, 468, 471 and 472/34 of the Indian Penal
Code.

The petitioner is said to have withdrawn Rs.
3,41,000/- by depositing a cheque of Bihar State Scheduled Caste
Cooperative Development Corporation Ltd. in his account
standing in the State Bank of India, Banka thereby committed
fraud.

It is submitted by the learned counsel for the
petitioner that no occurrence as alleged ever took place. As a
matter of fact, the petitioner was daily wager employee in the



said office. He has deposited the aforesaid cheque in his account at the instance of the informant on assurance to get him employed in the office on permanent basis and after withdrawing the amount, he handed it over to the informant, but instead of keeping his promise, the petitioner has falsely been implicated in the case. Moreover, the petitioner has returned the aforesaid amount to Bihar State Scheduled Caste Cooperative Development Corporation Ltd. on 20.05.2017 and 2.08.2017 respectively. The petitioner has been languishing in custody since 06.08.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case no. 238 of 2017.

(Prakash Chandra Jaiswal, J)

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