

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15714 of 2017**

Arising Out of PS.Case No. -96 Year- 2004 Thana -AURAI District- MUZAFFARPUR

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Birendra Kumar Singh @ B. K. Singh, the then Branch Manager,  
Dharharwa Branch, Bank of Baroda, son of late Kameshwar Singh, P.S.  
Aurai, Distt. Muzaffarpur, at present Mohalla Balughat, P.S. Town, Distt.  
Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar @ S.K. Arun, Adv.

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      26-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Aurai P.S.

Case No. 96 of 2004 instituted for the offence under Sections 419,  
420, 467, 468, 406 and 120(B) of the Indian Penal Code.

It is alleged that accused No. 1 Lalo Kuar got  
signature of the informant on several papers on the pretext to  
sanction money for Indira Awas Yojana but the money was not  
sanctioned to the informant. The informant received notice from  
the Bank for repayment of the loan amount and when he contacted  
the bank officials, he was informed that loan has been sanctioned  
in his favour. The complainant also alleged that Lalo Kuar has  
recently purchased 3 ½ Bigha of land and has also a well  
furnished house.

From the written report it appears that there is  
no allegation of specific overt act against the petitioner. The



petitioner is said to be the Branch Manager of the bank from which the loan amount has been sanctioned.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Aurai P.S. Case No. 96 of 2004, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri S.K. Tripathi, Judicial Magistrate, 1<sup>st</sup> Class, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

**(Sanjay Priya, J)**

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