

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56399 of 2017

Arising Out of PS.Case No. -146 Year- 2015 Thana -BIKRAMGANJ District-
SASARAM (ROHTAS)

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Saurabh Kumar Sinha, Son of Shri Surendra Chaudhary @
Surendra Kumar Sinha, Resident of Village-Kajhain, P.S.-
Bikramganj, District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bank of India, Bikramganj Branch, through its
Branch Manger, District-Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Adv.
Mr. Anuj Kumar
For the State : Mr. Sunil Kr. Pandey, APP
For the O.P. No. 2 : Mr. Nishi Nath Ojha, Adv.
Mr. B.N. Singh, Adv.

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

ORAL ORDER

3 14-12-2017 Heard Mr. Yogesh Chandra Verma, learned senior
counsel for the petitioner, Mr. Nishi Nath Ojha, learned
counsel for the Bank and Mr. Sunil Kumar Pandey, learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection



with Bikramganj P.S. Case No. 146 of 2015, registered for the offences punishable under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code and under Section 66 of the I.T. Act.

The allegation against the petitioner is that he credited Rs. 188,400/-, Rs. 194,240/- and Rs. 1,86,580/- in his account by three cheques from the account of Bihar Mahadalit Mission, bearing Account No. 441910110004194, and later on the entire amount was withdrawn from the account of Saurabh Kumar Sinha, the petitioner.

Mr. Yogesh Chandra Verma, learned senior counsel, appearing on behalf of the petitioner, submits that there is nothing on record to show that the petitioner forged the signatures on the cheques of Bank of India. The petitioner had no knowledge about deposit of cheques in his account and the money was also withdrawn by someone else. He also submits that the petitioner is ready to deposit the entire amount.

Mr. Nishi Nath Ojha, learned counsel, appearing on behalf of the Bank, submits that the cheque of Bihar Mahadalit Mission was forged and the entire amounts, through different cheques, were withdrawn by different persons. The amount was credited in different accounts through forged cheques and the petitioner is one of the



persons in whose account amount of Rs. 5,69,220/- was deposited by three cheques.

Considering the nature of allegation made against the petitioner, I am not inclined to grant him the privilege of anticipatory bail. The same is, accordingly, rejected.

If the petitioner deposited the entire amount said to have been withdrawn from his account and surrenders in the court below, the learned court below shall consider his prayer for regular bail on its own merit without being prejudiced from the order of this Court.

(Prabhat Kumar Jha, J)

Praveen-II/-

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