

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55559 of 2017

Arising Out of PS.Case No. -87 Year- 2017 Thana -KUTUMBA District- AURANGABAD

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1. Sanjay Singh S/o Baliram Singh, R/o Village- Jharha, P.S.- Kutumba,
District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kutumba P.S. Case No.
87 of 2017 instituted for the offence under Sections-420, 467, 468, 471
of the Indian Penal Code.

It has been submitted that from the FIR itself, it will be
apparent that the petitioner was nowhere at all. The informant has
alleged in the written report that he received notice from the bank about
dues of loan amount, then he enquired from the Bank Manager to show
the paper and the Branch Manager told that on 28-02-2014, loan of an
amount of Rs. 90,000/- was sanctioned and the amount of Rs. 89,000/-
has been credited in the account of this petitioner. The informant has
alleged in the written report that he has no concern with this petitioner.
He does not know this petitioner. The informant has further mentioned
in the written report that he had given some papers to one Salam Ansari



about three years back for passing loan under BPL scheme. The informant alleged that Salam Ansari in collusion with this petitioner has done all the overt acts.

Therefore, from the written report itself, it is apparent that this petitioner never met the informant and all the papers etc were given by the informant about three years back to the Salam Ansari. Counsel for the petitioner has further submitted that the bank has already issued no dues certificate to the informant and amount of Rs. 90,000/- has already been withdrawn by the bank from the account of the petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall 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 in Kutumba P.S. Case No. 87 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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