

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14466 of 2017

Arising Out of PS.Case No. -707 Year- 2016 Thana -PHULWARI District- PATNA

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Bhushan Kumar, son of late Rajendra Singh, resident of village-Lodipur, P.S.-Janipur) Phulwarisharif, District-Patna, at present resident of Mohalla-Mittra Mandal Colony, Khoj Imli, P.S.-Phulwarisharif, District-Patna.

.... Petitioner/s

Versus

1. State of Bihar &
2. Aniruddh Kumar, Branch Manager, Bank of Baroda, Yakubpur Nagma, PS- Janipur, Distrcit-Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party No.1: Mr. Sanjay Kumar Tiwary, APP

For the Opposite Party No.2: Mr. Vivek Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 19-05-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Phulwari Sharif P.S. Case No.707 of 2016 instituted for the offence under Section(s) 489 (A) (B) (C) and 120-B Indian Penal Code.

As per written report, one Chandrahas Kumar was depositing rupees one lac in his account in the bank. The Branch Manager suspected the notes to be fake currency. Thereafter, written report has been filed by the Branch Manager.

Case diary was called for, which has been received.

From the case diary, it appears that the name of this petitioner was taken by Tarun Kumar in para 21 of the case diary,



wherein, he disclosed that the money was given to him by this petitioner and thereafter he gave the same to Chandrahas Kumar to deposit in his account.

As such, there is no recovery of currency notes from the possession of this petitioner. From the written report itself, it appears that one Chandrahas Kumar was found depositing currency notes.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Phulwari Sharif P.S. Case No.707 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, 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.

(Sanjay Priya, J)

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