

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4389 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana –SAMASTIPUR (TOWN) District-
SAMASTIPUR

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Baban Kumar @ Babban Kumar, Son of Laxman Chaudhary, Resident of
Village- Pachpaika, P.S. Ujiarpur District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 406, 420, 467, 468, 471
and 120B/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
the person against whom the allegation of interpolation has been
made in the cheque from the amount of Rs.2,23,000/- to
Rs.12,23,000/- is Manoranjan Kumar, who has already been
granted anticipatory bail by a coordinate Bench of this Court vide
order dated 16.11.2016 passed in Cr. Misc. 33100 of 2016. The
other co-accused namely, Saroj Thakur who happens to be the
Chairman of Arti Paryavaran Lok Kalyan Kendra has also been
granted anticipatory bail by a coordinate Bench of this Court vide



order dated 16.12.2016 passed in Cr. Misc. 32235 of 2016.

There is allegation in the written report that the informant issued cheque of Rs.1,00,000/- in the name of petitioner on the advise of Saroj Thakur who happens to be the chairman of the Organisation. The petitioner encashed the aforesaid cheque of Rs.1,00,000/-. In such manner, there is no any overt act alleged against the petitioner in the written report.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Samastipur (Town) P.S. Case No. 70 of 2016, 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 learned Chief Judicial Magistrate, Samastipur, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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