

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39160 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -BANKA District- BANKA

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Md. Aji Son of Md. Taslim Resident of village- Kharhara, P.S.- Barahat,
District- Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner and the
learned APP appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Banka P.S. Case No.40 of 2017, registered under Sections
420/467/468/471/120(B)/34 of the Indian Penal Code.

Allegation in brief is that this petitioner in
connivance with one another accused, the Branch Manager of the
M/s Kabya Automobile, Banka got the auto rickshaw and the same
was delivered by the Branch Manager, another co-accused and
there was no any delivery order issued by Union Bank of India
from which the petitioner has got the loan sanctioned.

Learned counsel for the petitioner submits that the
petitioner is an illiterate person and it was Kundan Kumar Singh,
the Branch Manager, who has committed the alleged offence and



this petitioner is not involved in it whereas the learned counsel for the State submits that the petitioner is the beneficiary and no loan amount was sanctioned but forged document was produced.

Having considered the said facts and circumstances, the prayer of anticipatory bail of the petitioner stands rejected in connection with Banka P.S. Case No.40 of 2017, pending in the court of the learned Chief Judicial Magistrate, Banka. However, if the petitioner surrenders and seeks regular bail, the same shall be considered on merit without being prejudiced by this order.

(Arun Kumar, J.)

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