

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12225 of 2017

Arising Out of PS.Case No. -290 Year- 2015 Thana -PIRBAHOR District- PATNA

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1. Arun Kumar, Son of Sri Krishna Nandan Singh
2. Aman Kumar, Son of Sri Krishna Nandan Singh
Both residents of Village Karan Police Station Baghela District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Kumar Sinha, S/o Sri Anand Saran, Resident No. 102A,
Rajmano Rukunpura Veda Nagar, Patna, at present Senior Manager
Canara Bank, G.M. Road Branch, Patna - 0612-2300852.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Singh, Advocate.

For the Opposite party No.2 : Mr. Rajan Ghoshrave, Advocate.

For the State : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 07-04-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Pirbahore
P.S. Case No. 290 of 2015 instituted for the offence under
Sections 467, 468, 461 and 420 of the Indian Penal Code.

It has been submitted that the petitioners' name has
surfaced only on the basis of confessional statement of the co-
accused Bablu Singh @ Brij Kishore. They have no criminal
antecedent. The First Information Report has been lodged by Sr.
Manager of Canara Bank, Govind Mitra Road, Patna, stating
therein that he got information from Branch Manager, that



fraudulent transaction has been made from the Bank account of customer namely Bihar Chemist Druggist Association. The informant has mentioned the cheque numbers on the basis of which amount has been debited and credited to the account of different persons as mentioned in the written report.

Case diary has been received.

From the case diary it appears that police has not recorded statement of any of the account holder in whose account the amount has been credited. It appears that police has arrested Bablu Singh on the basis of Mobile SIM IMEI number and on the basis of confessional statement the police has implicated other accused persons including the petitioner. In paragraph-3 of the bail petition it has come that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Pirbahore P.S. Case No. 290 of 2015, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 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) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

S.Ali/-

(Sanjay Priya, J)

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