

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52955 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -NANHPUR District- SITAMARHI

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1. MD. AAMIR WAHAB @ AAMIR SAHAB @ AMIR BAHAW Son of
Md. Abdul Wahab, resident of Village-Ganj Gaurihar, P.O.-Khalik Nagar
Gaurihar, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Birendra Kumar Singh
For the informant : Mr. Neeraj Kumar @ Sanidula
For the Opposite Party : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Nanpur P.S. Case
No. 264 of 2016 instituted for the offence under Sections 406, 409
and 420 of the Indian Penal Code.

In the written report, it is alleged that the petitioner,
who was the Branch Manager at the relevant time, has obtained a
blank cheque signed by the informant. Thereafter, petitioner was
transferred from the said Branch. The informant enquired about a
loan amount and learnt from the successor Branch Manager that
an amount of Rs. six lacs has been transferred to another person's
account. He made enquiry with the petitioner then he made
demand of commission for returning the money in its account.



Suo motu, opposite party no. 2 has appeared after filing of *Vakalatnama*. It was submitted on behalf of the informant that the amount has been received by the informant and he has no grievance with the petitioner.

Counsel for the petitioner has annexed Annexure-2, which is compromise petition dated 08.04.2017 filed in the court below wherein it has been stated that the whole amount of Rs. six lacs has been received by the informant from the Ramiz Sabri. He has no grievance with 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 Nanpur P.S. Case No. 264 of 2016 to the satisfaction of learned S.D.J.M., Sitamarhi, 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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