

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36804 of 2017

Arising Out of PS.Case No. -70 Year- 2012 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Saiman Bhesra, son of late Josheph Bhesra, R/o Village- Beldina, P.S.-
Hiranpur, District- Pakur (Jharkhand) at present posted as Head Class
Clerk-L.I.C. Jehanabaed.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-08-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Aurangabad
Town P.S. Case No.70 of 2012 instituted for the offence under
Section(s) 467, 468, 471, 420, 120-B Indian Penal Code.

It has been submitted that the petitioner was posted
as Clerk in Life Insurance Corporation, Aurangabad, at the
relevant time. He has no role in issuing any cheque to any person.
He is not named in the First Information Report. His name has
surfaced in the supervision note of the police.

As per written report, several persons as named in
the written report encashed the cheques issued in the name of
others.

From the written report, it appears that there is no



allegation that those cheques were issued by the petitioner or the petitioner at any point of time was involved in encashment of those cheques.

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 Aurangabad Town P.S. Case No.70 of 2012, he 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 the Chief Judicial Magistrate, Aurangabad, 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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