

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52226 of 2017

Arising Out of PS.Case No. -538 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Md. Asif Ekbal, Son of Md. Ansarul Haque, Resident of Village-
Madhopur, P.S.- Chiraiya, Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Punjab National Bank, through Branch Manager Motihari.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate.
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.
For Punjab National Bank : Mr. Kumar Priya Ranjan, Advocate.
Mr. Niraj Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 22-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Motihari Town P.S. Case
No. 538 of 2017 registered under Sections 420, 467, 468, 471, 472
and 120B of the Indian Penal Code.

Cheque of Rs. 98,85,000/- of Punjab National Bank,
Baramula, Jammu & Kashmir in the name of Motilal Chaudhary
issued by Amazon Trading Company, Jammu and Kashmir was
received in Punjab National Bank from Gramin Bank, Main
Branch, Motihari for clearance. On investigation of the matter, it
was found by the Bank that no such cheque leaf was issued by
Punjab National Bank, Baramula, Jammu and Kashmir and drawn



by the said Amazon Trading Company. On search of the house of the said Motilal Chaudhary and the petitioner, a number of photostat copy of cheques, Aadhar Card, Pan Card, etc. were seized.

It is submitted by learned counsel for the petitioner that the petitioner is neither the drawer nor drawee of the said cheque. He has no concern with the said cheque. He has been falsely implicated in the case merely on suspicion and on the basis of the confessional statement of Motilal Chaudhary as carrier of the said cheque. The photostat copy of the cheques, pass book, ATM Card which were seized from the house of the petitioner are hailing to his father, mother, brother and family members. The petitioner has been languishing in custody since 07.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari (Town) P.S. Case No. 538 of 2017.

(Prakash Chandra Jaiswal, J)

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