

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58612 of 2017

Arising Out of PS.Case No. -214 Year- 2016 Thana -SHRIKRISHNAPURI District- PATNA

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1. Mohammad Mozahid Warsi@Mohammad Mozahid Waris S/o
Mohammad Aslam Warsi, R/o Village- (Islampur) Gaza Saraya, P.S.-
Islampur, District- Nalanda. At Present at Mohalla- Tiwari Market, Gol
Bagicha, P.S.- Kotwali, Distt.- Gaya. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 21-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 420,467,468 and
471/34 of the Indian Penal Code.

Petitioner is Proprietor of M/s Warsi
Enterprises.

The petitioner opened a current bank
account mentioned in the FIR at Aurangabad. In the said
account, money came through cheque and A.T.M. transfer
from different accounts in a very short span of time. On
enquiry by the Bank, some of the Branches informed that
some of the money has been deposited in the said account
from some different accounts by cloning the cheques, as
original cheques were still with the account holders.



On being asked by this Court, the Canara Bank, Boring Road Branch, Patna has reported that from bank account of Sanjeevani Centre about 11,00,000/- (Eleven Lacs) through three different cheques were transferred. There is no reason why Sanjeevani Centre would deposit amount with the account of the petitioner.

Submission is that the petitioner has no concern with any transfer and during investigation, it has come that some bank employees are also involved but they are not accused in this case. Petitioner is in custody since 20.06.2017. The investigation is complete.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge him on bail for the present in connection with Sri Krishnapuri Police Station Case No. 214 of 2016 (G.R.No.5410/2016) pending in the court of learned Judicial Magistrate-1st Class, Patna /successor court.

Hence, prayer for bail is refused.

However, the petitioner would be at liberty to renew the prayer after framing of the charge or after expiry of three months from today whichever is earlier, before the learned court below.

(Birendra Kumar, J)

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