

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70966 of 2018

Arising Out of PS. Case No.-85 Year-2016 Thana- MADHUBANI TOWN District-
Madhubani

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Manish Kumar, S/o Ram Babu Roy, R/o Mohalla- Mishartola, Hanumanganj,
P.S.- Town, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate.
For the Opposite Party/s : Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Madhubani Town P.S.
Case No. 85 of 2016 instituted for the offence under Sections
406, 420, 467, 468, 471 and 34 of the Indian Penal Code.

In the written report it is alleged that a Cheque
amounting to Rs. 15,000/- bearing Cheque No. 992520 was
issued in favour of petitioner being the District Conveynor but
he illegally withdrew amount of Rs. 4,15,000/- after doing
forgery in the aforesaid Cheque. It is further alleged that another
Cheque for Rs.29,430/- bearing Cheque No. 992487 was issued
in favour of petitioner on 5.8.2015 but he has withdrawn Rs.
2,29,430/- after making forgery over the cheque. Photocopy of
both cheques have been enclosed.



Counsel for the petitioner submits that he is ready to return excess amount of Rs.4,00,000/- + 2,00,000/- of both cheques in five equal installments.

Counsel for the informant has appeared and submitted that on similar ground, co-accused Gautam Kumar @ Gautam Kumar Jha, has been granted bail by coordinate Bench of this Court vide order dated 20.8.2018 passed in Cr. Misc. 47901 of 2018.

In such circumstances, the application is disposed of with direction to the petitioner to return an amount of Rs. 1,20,000/- to the concerned authority by Demand Draft at the time of furnishing bail bond and remaining amount of Rs.4,80,000/- would be returned by him to the competent authority within a period of six months from the date of his release in four equal installments. The petitioner will be released on provisional bail by the court below i.e. Chief Judicial Magistrate, Madhubani, for six months after depositing installment of Rs.1,20,000/- as ordered above, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each in connection with Madhubani Town P.S. Case No. 85 of 2016 subject to the condition that both the bailors will be the close relatives of the petitioner.



The petitioner will make payment of remaining amount of Rs.4,80,000/- in equal installment within a period of six months from the date of his release. The court below will confirm the provisional bail granted to the petitioner after making payment of remaining amount of Rs.4,80,000/- as ordered above and on producing the valid receipts of competent authority showing return of total payment of Rs.6,00,000/-.

The payment made by the petitioner as ordered above will be subject to final decision of the case.

(Sanjay Priya, J)

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