

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59823 of 2017

Arising Out of PS.Case No. -114 Year- 2017 Thana -AMAU District- PURNIA

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1. Md. Arshad Alam, s/o late Hashim Anjum
2. Md. Ahrar Alam @ Md. Ehrar Alam, s/o late Hashim Anjum
Both are residents of vill-Aura, PO- Mirpur, PS-Routa, Dist-Purnea

.... Petitioner/s

Versus

State of Bihar & Anr Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mira Kumari

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 23-02-2018 Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Amour PS case no. 114 of 2017 registered for the offences punishable under Sections 409, 420, 120B/34 of Indian Penal Code.

The case of the prosecution is that according to the Branch Manager of Central Co-operative Bank, Amour branch, the petitioners herein are the Chairman and Manager of Nandniya PACS and they are alleged to have defalcated a sum of Rs. 5 lacs approximately.

The learned counsel for the petitioners submits that the petitioners herein are willing to deposit a sum of Rs. 2.5 lacs with the Central Co-operative Bank, Amour Branch within a period of eight weeks from today. It is further submitted that the



petitioner would be furnishing a bank guarantee for the rest amount of Rs. 2.5 lacs before the concerned Court within a period of eight weeks from today itself.

I have heard the learned counsel for the Bank as well and it has been submitted that the Bank will abide by the directions issued by this Court.

Having regards to the facts and circumstances of the case, it is directed that in case, the petitioners deposit a sum of Rs. 2.5 lacs with the Central Co-operative Bank, Amour Branch, within a period of eight weeks from today and surrender before the court below within the same time period, they shall be admitted to the privilege of anticipatory bail subject to furnishing bank guarantee for a sum of Rs. 2.5 lacs from a Nationalised Bank, before the said court.

Accordingly, it is directed that subject to the aforesaid conditions, petitioners may be admitted to the privilege of anticipatory bail subject to conditions as may be imposed by the concerned Court. It is further clarified that the deposit of the aforesaid amount shall be subject to the final outcome of the present case.

(Mohit Kumar Shah, J)

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