

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70999 of 2018

Arising Out of PS. Case No.-135 Year-2016 Thana- LADANIA District- Madhubani

Subh Narayan Yadav @ Subhnarayan Yadav S/o Budhi Yadav, Resident of
Village-Ladaniya, P.S.-Ladania. District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Branch Manager, Punjab National Bank, Ladania Branch, P.S.-Ladania
District-Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Mr. Sri Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-12-2018 Heard learned counsel for the parties.

Petitioner is apprehending arrest in connection with
Ladania PS Case No. 135/2016 for the alleged offence under
Sections 467, 468, 471, 409, 420 of the Indian Penal Code.

Mr. Yogesh Chandra Verma, learned Senior Counsel
representing the petitioner submits that the petitioner has no
criminal antecedent. He submits that a sum of Rs.7 lacs was
transferred in the account of the petitioner which the petitioner
disowned. He further submits that he has no concern with the
amount which was transferred in his account. However, he
submits that after transfer of that amount in the account of the
petitioner vested interest of the bank officials have withdrawn



that amount. Mr. Verma further submits that the petitioner has not withdrawn a single farthing from that seven lacs either through ATM Card, withdrawal slip or any cheque. He submits that he has been made victim of bank conspiracy.

Considering the fact that the petitioner disowned the aforesaid amount and claimed that he has not withdrawn a single farthing out of the said amount which was transferred in his account and also not relatable to the petitioner, the Court is inclined to grant him anticipatory bail for a period of three months.

In the event of arrest or surrender before the court below within a period of one month from today, the petitioner above named is directed to be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate IVth, Madhubani in connection with Ladania PS Case No. 135 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Meanwhile, the court below is directed to cause an enquiry from the concerned bank whether any amount was withdrawn by the petitioner through bank transaction including



cheque, withdrawal slip, ATM card or any other mode of transaction. If it is found that the petitioner has not withdrawn any amount from the bank, the petitioner's provisional bail shall be made absolute.

(Anil Kumar Upadhyay, J)

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