

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9373 of 2018

Arising Out of PS.Case No. -147 Year- 2017 Thana -BHAGWAN BAZAR District- SARAN

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Awadhesh Paswan, S/o Late Sheolal Paswan, Resident of Village-Mahmda,
P.S. Garkha, Distt.-Chapra, Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 06-04-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Bhagwan Bazar P.S. Case No. 147 of 2017 for the offence registered under Sections 420, 406, 467, 468 and 471 of the Indian Penal Code and Section 67 of the I.T. Act.

The case of the prosecution is that when the father-in-law of the informant had gone for withdrawing money from the A.T.M., one boy aged about 18-19 years had come and told the father-in-law of the informant that he would help him in withdrawing the money. Thereafter, some money was withdrawn from the A.T.M. and subsequently it was found that a sum of Rs. 40,000/- had been transferred to the account of the petitioner herein.

The learned counsel for the petitioner submits that the fact is that the informant had taken an amount of Rs. 80,000/-



from the petitioner and the said sum of Rs. 40,000/- is the part amount, which was re-paid by the informant to the petitioner. Nonetheless, it is submitted that the petitioner is ready to abide by whatever terms and conditions this Court may impose for the purposes of grant of anticipatory bail. The petitioner is said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, it is directed that the petitioner shall deposit a sum of Rs. 20,000/- (twenty thousand) with the Nazarat of the concerned court within a period of four weeks from today and shall surrender before the concerned court within the same time frame whereafter he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 147 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to say that the deposit of the aforesaid amount of Rs. 20,000/- shall be subject to the final outcome of the case.

(Mohit Kumar Shah, J)

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