

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74895 of 2023

Arising Out of PS. Case No.-123 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

1. Manoj Kumar Jha S/O- Late Sudhakar Narayan R/O- Mangrauni, P.S.- Rajnagar, Dist.- Madhubani.
2. Sanjay Kumar Jha S/O- Late Sudhakar Narayan Jha R/O- Mangrauni, P.S.- Rajnagar, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anwar Karim, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Lahariasarai P.S Case No. 123 of 2020 dated 03.03.2020 registered for the offence punishable u/ss 419, 420, 406 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused Pankaj Kumar Jha purchased electric items worth Rs.



2,77,000/- in the name of the Flood Control Department, Madhubani and paid Rs. 22,000/- and gave a cross cheque of Rs. 2,55,000/- of IDBI Bank, Gandhi Bazar, Madhubani in the name of informant's shop. The said cheque was deposited in the bank but the same was returned with endorsement that the signature is not matching. The informant informed the matter to Pankaj Kumar Jha, then he told that the officer was transferred and signature of present officer is given to the bank for verification and switched off his mobile. The informant went to house of Pankaj Kumar Jha then got information that all six brothers are indulged in cheating of innocent persons.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the petitioners made accused in this case only because he is the brother of the co-accused Pankaj Kumar Jha. It is further submitted that the petitioners are living separate from Pankaj Kumar Jha for a long time. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently



opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Laheriasarai, Darbhanga in connection with Lahariasarai P.S Case No. 123 of 2020, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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