

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71109 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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BABAN MISHRA Son of Shivdeo Mishra Resident of Mohalla- R.D. No.-
14A Rajeev Nagar, P.S.- Rajeev Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uma Shankar Sharma

For the Opposite Party/s : Mr.Umeshanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Aurangabad Town P.S. Case No. 157 of 2021,
registered for the offences punishable under Sections 419, 420,
467, 471/34 of the IPC.

As per allegation, the informant deposited money in
Axis Mutual Fund, but before its maturity, someone has
withdrawn it, by a clone cheque.

The learned counsel for the petitioner has submitted
that the petitioner is not a bank employee. There is nothing
against him. The entire money was refunded to the informant
and considering this aspects, the co-ordinate Bench has granted
bail to co-accused Shashi Sekhar and Amit Kumar @ Amit in
Cr. Misc. No. 44149 of 2021. While granting anticipatory bail to
co-accused persons, the learned co-ordinate Bench has observed



that the grievance of the informant was redressed. The petitioner is a person of clean antecedent. He is under custody since 01.08.2022.

Considering the clean antecedents as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 157 of 2021, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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