

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23325 of 2024**

Arising Out of PS. Case No.-75 Year-2021 Thana- BETTIAH CITY District- West
Champaran

=====

Binay Kumar Sinha @ Binay Kumar S/O Brijnandan Prasad R/O Village-
Sawangiya, Police Station- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Ahmad Ali

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2024

Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bettiah Town P.S. Case no. 75 of 2021 instituted for the
offence under Sections 420, 406, 409, 467, 468, 471, 472, 120B
and 34 of the Indian Penal Code and Section 138 of N.I. Act.

As per prosecution case, the informant had deposited
Rs. 1,35,901/- in Swarna India Multi State Cooperative Society
Limited at Bettiah, Supriya Cinema Road Branch and after
maturity of deposit scheme, company gave him three cheques
amount to Rs. 1,35,901/- but when the informant went to



deposit the three cheques in the bank, the aforesaid three cheques got dishonoured due to insufficient funds.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted from para-6 of this petition that from perusal of the FIR it would appear that neither the petitioner has received any money from the informant nor he granted any receipt to him nor he issued any cheque in his favour for encashment, but he has been made accused in this case only for the reason that he was an employee of that bank, though he was posted in East Champaran at Chakiya Branch and not even at the branch at Bettiah where the informant has deposited the money as has been claimed in the F.I.R. Nothing consistent material has come against the petitioner in respect of fraud committed with the informant. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 20.04.2022 in Cr. Misc. No. 56464 of 2021.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Bettiah Town P.S. Case no. 75 of 2021 he will be enlarged on 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 Judicial Magistrate-1st Class, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

