

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26490 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -RAHIKA District- MADHUBANI

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Md. Nurul Hasan, Son of Late Jainul Nadaf, resident of Baharban (Belahi)
P.S.- Rahika, District Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Advocate
For the Opposite Party/s : Mr. Kr.Virendra Narayan(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 409, 420, 467, 468, 471 and 120B of the Indian Penal
Code.

The prosecution case, in brief, is that Anchal Adhikari
of Rahika Anchal through his Letter No.434 dated 4.4.2015
informed the S.H.O. of Rahika Police Station alleging, *inter
alia*, therein that Branch Manager of SBI, Saurath sent L.P.C. of
five persons for verification which are completely forged. It is
further alleged that L.P.C. of the petitioner contains Khata
No.101 Khesra No.515 which is running in the name of Jainul
Nadaf having its Area 0.18 decimal, whereas L.P.C. contained

3.24 decimals, which is completely wrong. Verified Letter No.1298 dated 20.12.2014 is also wrong. Rent Receipt No.48/267 is wrong. It is further alleged that the involvement of Bank staff cannot be ruled out. Hence, this F.I.R.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 13.4.2015 and charge sheet has been submitted in the case. The petitioner has no criminal antecedents. It is submitted on behalf of the petitioner that a loan amount of Rs.68,000/- is still lying in the account and it has not been withdrawn by the petitioner and the petitioner is ready to return the said loan amount within a period of one month.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and he has obtained loan on the basis of fake documents.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, shall be released on **provisional bail for a period of one month** on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ajay Kumar IInd Judicial Magistrate, First Class, Madhubani, in connection with Rahika P.S. Case No.42 of 2015 (G.R. No.799/15). Within the said

period, i.e., within one month, the petitioner shall return the loan amount. Thereafter only, the court below shall confirm the provisional bail granted to the petitioner.

(Sudhir Singh, J)

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