

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31076 of 2015

Arising Out of PS.Case No. -253 Year- 2013 Thana -MEERGANJ District- GOPALGANJ

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1. Pradeep Rai S/o Ramayan Rai resident of village - Bansi Bataraha, P.S.
Fulwaria, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-08-2015 Heard learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420,467,468,471, 406/34 of the Indian Penal Code.

The prosecution case is that accused Rahul Rai and her sister Sonu Kumari entered into an agreement with the informant for purchase of J.C.B. Machine of the informant and the accused made payment of Rs. 60,000/- by cash and issued five cheques of Rs. 43,0000/- each which could not be encashed since the account was closed.

It is submitted by the learned counsel for the petitioner that petitioner is not party to agreement but simply a driver and cheques were issued by co-accused. A statement to that effect has been made in Para 7 of the petition which is as follows :

“7. That the petitioner is the driver and there is no involvement of the petitioner in the case nor he is beneficiary of the transaction.”

Considering the aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 253 of 2013 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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