

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9285 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -PAROO District- MUZAFFARPUR

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1. Prahalad Pandey S/o Late Mahendra Pandey Resident of Village -
Sarmastpur, P.S. Paroo, Dist - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Lallan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-05-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 467, 471 and 420 of the I.P.C

Allegedly, the petitioner through his agent Ranjeet Singh deposited a cheque of Rs. 2,70,000/- to be encashed in his account and pressurized to give cash but the payment was not done due to suspicion and thereafter the Chief Manager of the Punjab National Bank, Gorakhpur intimated to stop the payment and thereafter the agent Ranjeet Singh submitted a cheque for payment of Rs. 2,65,000/- and after taking token no. 32 fled away.

Submission is of false implication and that the petitioner is a simple farmer who only knows to write his name, the petitioner has not visited the Bank nor he has deposited the cheque and without any fault he is suffering in custody since

14.12.2015, no loss has been caused to any one and as such the petitioner deserves sympathetic consideration as in the near future the trial is not likely to be concluded.

The learned A.P.P. opposes prayer for bail by submitting that due to timely intervention the amount was not encashed though the petitioner tried his best through his agent to withdraw the amount.

In the facts and circumstances as stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Aditya Kumar Singh, J.M. 1st Class, Muzaffarpur in Paroo P.S. Case No. 30 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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