

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52884 of 2015

Arising Out of PS.Case No. -301 Year- 2015 Thana -CIVIL LINE District- GAYA

S.M. Hasan @ Sayed Mustainul Hasan, Son of Late Sayed Haseeb Hasan
Resident of Mohalla - Murarpur, P.S. - Kotwali, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. C.Jawahar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-02-2016 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, 468, 471, 409, 420 and 120B/34 of
the Indian Penal Code.

Allegedly, the petitioner, being Senior Tax Assistant,
gave two manual cheque leaf and co-accused Shari Imam
withdrew amount of Rs.59,29,000/- and co-accused Sharaf Eqbal
withdrew amount of Rs.66,00,000/- and the petitioner confessed
his guilt.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, it is true that
he is the custodian of blank cheque, but it appears that two leafs of

cheque were missing and those two leafs of manual cheque were used for withdrawing the amount in the name of tax refund, against the petitioner, Charge sheet has also been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the investigation is still going on against others.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, at this stage, this Court is not inclined to enlarge the petitioner on bail and, accordingly, his such prayer stands rejected in connection with Civil Lines P.S. case No.301 of 2015 pending in the court of Chief Judicial Magistrate, Gaya.

(Jitendra Mohan Sharma, J)

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