

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11665 of 2016

Arising Out of PS.Case No. -393 Year- 2015 Thana -CIVIL LINE District- GAYA

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1. Faraj Mohammad @ Md. Faraj Son of late Md. Gyas Resident of
Mohalla- T. Model School Lane, P.S Kotwali District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Civil Lines
P.S. Case No. 393 of 2015 registered for the offences punishable
under Sections 420, 409, 467, 468, 471, 120-B/34 of the Indian
Penal Code.

Allegedly, the petitioner in collusion and conspiracy
with co-accused S.M. Hassan got encashed a cheque of Rs.
39,60,000/- relating to manual refund vouchers in his account no.
300401010011237 maintained with Union Bank of India, Chowk
Branch, Gaya and that cheque was forged one, having forged
signature and rubber stamp and further that the petitioner has

distributed the withdrawn amount from the account amongst other co-accused persons.

Submission is of false implication and that main accused is S.M. Hussan who was posted as Senior Tax Assistant of Income-tax Department, Gaya, the petitioner used to supply the stationary goods in the said department and during course of supplying the goods, S.M. Hussan used to take signature on different papers and it appears that he used the same and, as such, the petitioner has been made victim of the circumstances, without any fault the petitioner is suffering in custody since 03.11.2015.

The learned A.P.P. seriously opposes the prayer of bail by submitting that there is sufficient material in the case diary to show that the petitioner deposited the forged cheque in his account and withdrew the amount from his account and further the same was distributed amongst the accused persons.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Civil Lines P.S. Case No. 393 of 2015 pending in the court of learned CJM, Gaya.

However, let the trial be expedited and concluded,

preferably within nine months after receipt or production of a copy
of this order.

(Jitendra Mohan Sharma, J)

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