

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11754 of 2016**

Arising Out of PS.Case No. -468 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Ratnesh Kumar Jha Son of Pankaj Kumar Jha resident of village -  
Chainpur Durga Sthan Kahara, P.S. - Bangaon, District - Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashwani Kumar Tiwary

For the Opposite Party/s : Mr. Ahmad Ali (App)

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

5      06-05-2016                      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 406 and 420 of the I.P.C

Allegedly, the petitioner working as the Senior Sales  
Executive in G.S. Motor Private Limited did not get the vehicles  
registered of the different customers though he realized the  
amount for the same and defalcated lacs of rupees and further due  
to his action the prestige of the firm was also defamed. However,  
the owner of the firm got registered the vehicles of the customers.

Submission is of false implication and that the  
petitioner has filed Sanha No. 2144 of 2015 dated 08.09.2015  
before the S.D.M, Saharsa against the informant and others, the



petitioner has also filed Case No. 01 of 2016 in the court of the Labour Superintendent, Saharsa regarding his dues amount and due to that reason the informant has filed this false case, during investigation the Investigating Officer has not recorded the statement of those customers who allegedly paid the registration fee to the petitioner and without any legal and tangible material charge sheet has already been submitted against the petitioner resulting the petitioner is suffering in custody since 03.02.2015.

The learned A.P.P. opposes prayer for bail by submitting that during investigation the allegations have been found true and then the charge sheet has been submitted.

Today also the learned counsel for the informant has not appeared though on 05.05.2016 due to non appearance of the learned counsel for the informant the matter was passed over.

In the facts and circumstances as stated above, considering detention of the petitioner and further that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 C.J.M. Begusarai in Begusarai Nagar P.S. Case No. 468 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)**

Abhay/-

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