

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17724 of 2016

Arising Out of PS.Case No. -64 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

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Ranjeet Kumar, son of Rajesh Prasad, resident of Mohalla- Near Durga Mandir, Roza Road, Police Station- Sasaram, District- Rohtas, presently resident of Road No 5, House No.57, Patel Nagar, Tenant in the house of Shashank Singh, Police Station Shastrinagar, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 19-07-2016

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody in connection with Sheikhpura P.S. Case No. 64 of 2015 for the offences instituted under Sections 467, 468, 471, 419, 420, 379 and 120B/34 of the Indian Penal Code.

The prosecution story in brief, is that an account has been opened in the Head office Branch of Canara Bank at Chandani Chowk, Sheikhpura in the name of District Welfare Officer bearing Current Account No. 2474201005203 and cheque book was issued and through forged cheque bearing no. 773201 to 773300, a total amount of Rs. 7, 14, 400/- was withdrawn and it is believed that on the basis of forged cheque prepared by gang of criminals the aforesaid amount has been withdrawn.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 16.09.2015. The charge sheet has been submitted. It is further submitted that the petitioner has been made accused due to mistake of fact. The name of the father of the petitioner and the name of the father of the account holder in which the said amount of Rs. 7 lac was deposited do not tally. Hence, the petitioner has been made accused due to mistaken identity as the name of the account holder and the petitioner is the same.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R and he is habitual offender. He has been committing offence of a similar nature by changing the name of the father and the postal address. It is further submitted that in a similar case, he was apprehended, which is evident from para-19 of the case diary and subsequently, he was remanded in the present case.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Sheikhpura P.S. Case No. 64 of 2015, pending in the court of learned Chief Judicial Magistrate, Sheikhpura.

(Sudhir Singh, J.)

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