

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48879 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -MAHISI District- SAHARSA
=====

1. Baijnath Sah S/o Late Bindeshwari Sah, Resident of Village - Mahishi,
P.S. - Mahishi, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)
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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-01-2016 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, 409, 420 and 467 of the I.P.C

Allegedly, the petitioner being an agent of Prayag
Finance Company induced the informant to deposit Rs. 3,060/- per
month till sixty months and then to return Rs. 3,20,316/- and in
that way the informant paid Rs. 95,196/- to the petitioner and the
petitioner granted receipts but from the office of Prayag Finance
Company the informant came to know that all the receipts given
by the petitioner are forged one.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, there is
nothing on the record to show that the petitioner has granted

receipts by using his signature, during investigation also no document has come to show that the petitioner granted forged receipts, the petitioner without any legal and cogent evidence is suffering in custody since 14.08.2015 and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail.

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 Sri S.K.Jha, J.M. Saharsa in Mahishi P.S. Case No. 165 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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