

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51639 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -SHRIKRISHNAPURI District- PATNA

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Narendra Gautam, S/o Ashok Kumar Pandey, R/o Village- Kaithir, P.S.-
Chandi, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Madan Prasad Singh No-2, Advocate

For the Opposite Party : Mr. Smt. Anita Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-12-2016 Heard the learned counsel for the petitioner and
the learned A.P.P. appearing on behalf of the State.

Petitioner is languishing in judicial custody since
12.09.2016 in connection with Patna Sadar S.K. Puri P.S. case no.
196 of 2015 for offence alleged under Sections 408 and 420 of the
Indian Penal Code.

The prosecution case is that one Upkar Singh had
deposited a cheque of Rs. 1 lac for booking Honda City car which
the petitioner, who was working as Sale Consultant, changed in
the name of accused Nirmala Kumari and took a cheque bearing
no. 251683 dated 22.11.2014 in the name of Nirmala Kumari and
deposited the same in her account. Further, the prosecution case as
alleged by the authorized representative of the Honda



Automobiles Pvt. Ltd. is that when on 11.05.2014, the said Upkar Singh came to know the status of his booking, the said fraud was detected. Hence, it was alleged that the petitioner had misappropriated a sum of Rs. 1 lac by impersonating another person i.e. accused Nirmala Kumari.

It has been submitted by the learned counsel for the petitioner that he is innocent and has no criminal history and just because the petitioner left the job of the Honda company in December, 2014, false case has been lodged against him. It has further been submitted that on 11.05.2014, the said Upkar Singh came to verify about the booking, he came to know that a cheque was prepared in the name of Nirmala Kumari on 22.11.2014 which itself falsifies the prosecution case. He further submits that the F.I.R. has been lodged after inordinate delay and no plausible explanation has been given for such delay.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submissions of the parties, let the abovenamed petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Spl. Judge, C.B.I.-cum-
Addl.C.J.M. Patna in connection with Patna Sadar S.K. Puri P.S.
case no. 196 of 2015.

(Nilu Agrawal, J.)

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