

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9305 of 2017

Arising Out of PS.Case No. -1 Year- 2016 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Sukhdeo Ray, son of Late Narain Rai, Resident of Village- Maripur Mal @
Madipur, P.S.- Madhuban, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar through Economic Offence Unit, Bihar, Patna.
2. The Registrar General, Patna High Court, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mrigank Mauli

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in Economic Offences P.S. Case
No.1 of 2016 registered under Sections 420, 466, 467, 468, 471
and 120B of the Indian Penal Code.

Allegation in brief is that this petitioner, being a
deponent of bail petition vide Cr. Misc. No.22161 of 2015,
seeking bail of his son in Nawanagar P.S. Case No.82 of 2014 had
annexed a forged F.I.R. as well as forged order of the Special
Judge, Buxar and bail order was obtained showing recovery of 8
kgms. of ganja instead of 82 kgms. Later on, the bail granted to
the petitioner was cancelled on bringing this fact to the
knowledge of the court and subsequently first information was
lodged.

Submission is that this petitioner is merely deponent
of the affidavit. Only his name is there but in fact he had not



signed it. However, it is admitted that the petitioner of Cr. Misc. No.22161 of 2015 was his son.

The allegation is very serious in nature. The petitioner obtained bail order in favour of his son by filing forged documents, F.I.R. and even in the impugned order, the rejection of the bail order passed by the Special Judge, Buxar showing 8 kg. recovery of ganja instead of 82 kgms. In fact, the entire order sheet was forged and by this criminal act, the bail order was obtained. It is also brought to the notice that charge sheet has already been filed against the petitioner.

Having considered the said facts, circumstances and serious nature of the case, the prayer for bail of the petitioner is refused. However, the court below is directed to proceed further expeditiously in trial and to conclude the same preferably within a year. S.P. Economic Offences, Patna is also directed to produce the witnesses during trial promptly on the date fixed by the trial court and also to submit report regarding the stage of the case after expiry of one year since framing of charge as well as report from the S.P. Economic Offences regarding production of prosecution witnesses, if the trial does not conclude within stipulated period.

(Arun Kumar, J)

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