

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41931 of 2017

Arising Out of PS.Case No. -9 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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Gautam Kumar S/o Lakhon Singh R/o Dahriya Bigha, P.O.- Bodh Gaya ,
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath, Adv.

For the Opposite Party/s : Mr. Sri Ram Anurag Singh, APP.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.06.2017 in connection with Barbiga P.S. Case No. 09 of 2016
for offences punishable under Sections 420, 467, 468, 471 and 34
of the Indian Penal Code.

The prosecution case, as lodged by the In-charge
Medical Officer, Referral Hospital, Barbiga, is that from the bank
account of Referral Hospital, Barbiga cheque of Rs. 1,87,000/-
and cheque of Rs. 2,98,620/- were transferred to the Allahabad
Bank and Indian Bank, Sheikhpura. Cheque of Rs. 187000/- was



in the name of the petitioner which was tried to be encashed.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the petitioner had not deposited the said cheque in his account and that he has no concern with the Referral Hospital rather he was working as office boy in Saptkunj Construction Pvt. Ltd. Bodhgaya. It is submitted that from the Bank statement of account of the petitioner which is annexed as Annexure-3 of the supplementary affidavit the said amount has not been encashed in his account. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in connection with Barbigha P.S. Case No. 09 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having



sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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