

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49699 of 2016

Arising Out of PS.Case No. -145 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sukesh Suman son of Late Ramchandra Shastri @ Late Sheochandra Shastri, resident of Ranighat lane, near Patneshwari Bakery, in front of Steel Factory, Mahendru, P.S. - Sultanganj, Dist. - Patna.

.... Petitioner/s

Versus

1. State of Bihar
2. Smt. Maya Devi W/o Late Anant Ram Verma resident of Shivanagar Colony, Paharganj, Police Station -Navinmandi, Dist. Faizabad (U.P.) A/P Shekhura Mahavir Math, P.S. -Hawai Adda, Dist. -Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Prasad Nirala
For the Informant : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-04-2017 Heard the parties.

This application has been filed in connection with Complaint Case No.145 (C) of 2016 for the offence under Section 406 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the whole allegation is false and concocted and he has been falsely implicated in this case as he is running an N.G.O. and sister of the complainant is also running an N.G.O. There was dispute between the N.G.Os.; for that she has also lodged another case against the petitioner, in which he has been enlarged on bail. In the present case, it has been alleged that she has given Rs.08 lakh to the



petitioner and Rs.70,000/- has been given by a cheque but the learned Magistrate, who took cognizance, has clearly stated that there is no document regarding payment of Rs.08 lakhs on record but the bank deposit receipt of Rs.70,000/- is on the record. Further allegation is that he has given a blank cheque but the authenticity of the cheque and signature on the aforesaid cheque has also been challenged. The petitioner is in custody since 30.4.2016.

Heard learned A.P.P. and the learned counsel for the complainant.

Having heard both sides and considering the aforesaid facts & circumstances of the case as well as the fact that he is in custody for about 11 months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Divya Mita, J.M. 1st class, Patna in connection with Complaint Case No.145 (C) of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.



- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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