

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44900 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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BINOD KUMAR SINHA @ BINOD KUMAR, son of Late Kishori Mohan Prasad, resident of village Chhippitola, near at Jalan School, Begampur, P.S. Chowk, Patna City, District Patna

.... Petitioner

Versus

1. The State of Bihar
2. Ravindra Charan Yadav
3. Pramila Kumari
4. Mahesh Kumar Singh

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Chowk P.S.Case No. 155 of 2017, G.R.No. 2024 of 2017, registered for the offences punishable under Sections 420, 406, 417, 468, 504, 506, 467 of the Indian Penal Code and 135 of N.I. Act.

Allegation against the petitioner is of cheating the informant of Rs.19 lacs and odd and though he had given three cheques to the informant but the same were bounced.

Submission of learned counsel for the petitioner is that as per FIR there is no allegation against the petitioner and he has falsely been implicated in this case and false and concocted has been lodged against the petitioner. Further submission is that there



is no dues against the petitioner as per tripartite agreement arrived at between Pramila Kumari, Mahesh Kumar Singh and the petitioner and further submission is that a complaint petition was filed against Pramila Kumari for not returning the amount but the same was dismissed and thereafter the matter was settled and now the informant has lodged the police case against the petitioner. Further submission is that he is in custody since 25.6.2017.

Heard learned APP and learned counsel for the informant, who have opposed the prayer for bail stating that there is no Mahesh Kumar Singh, brother of Pramila Kumari, rather the same has been set up by the petitioner and the complaint petition filed by the Mahesh Kumar Singh has also been dismissed by ACJM and no such amount has been returned by the petitioner till date.

Having heard both sides and in the facts and circumstances of the case, as stated above, I am not inclined to grant bail to the petitioner.

However, learned court below is directed to verify about the authenticity of the signature of Pramila Kumari on the tripartite agreement arrived at between the parties, as claimed by the petitioner, by handwriting expert and if signature of Pramila Kumari is found to be genuine, the court below will consider the



prayer for bail, if any filed, and dispose of the same on merit.

Learned court below will try to dispose of the matter of examination of handwriting of Pramila Kumari within a period of three months.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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