

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22914 of 2017

Arising Out of PS.Case No. -182 Year- 2016 Thana -KADAMKUAN District- PATNA

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1. Santosh Kumar Singh @ Santosh Kumar, aged about 31 years, Son of Ramjag Singh, Resident of Village- Karan, P.S.- Baghela, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar, Advocate

For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is remanded in the present case since 07.06.2016 in connection with Kadamkuan P.S.Case No. 182 of 2016 registered for offences punishable under Sections 419, 420, 468, 472, 409 and 120 (B) of the Indian Penal Code.

The prosecution case as lodged by the Accountant of Bihar State Sports Authority is that a sum of Rs. 12, 66,440/- was fraudulently withdrawn through four cheques on 21.04. 2016, 22.04.2016 and 26.04.2016. A cheque of Rs. 3 lacs was submitted in the account of one Sanjeev Kumar but on enquiry it was found that no such cheque was issued from the Bihar State Sports Authority. Similarly, on the same date, cheque No. 3329 for Rs.



4,66,400/- was attempted to be withdrawn but the amount could not be withdrawn. Accordingly, F.I.R. was registered against unknown. During the course of investigation, the name of the petitioner surfaced and it transpired that the petitioner fraudulently created account in his name and transferred the money from the Bihar State Sports Authority.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and has been falsely implicated in the aforesaid case. It is further submitted that other co-accused, have since been granted privilege of bail by Co-ordinate Benches of this Court in Cr. Misc. Nos. 39054 of 2016 dated 22.11.2016 and Cr. Misc. No. 35540 of 2016 dated 24.10.2016. It is submitted that charge sheet has already been submitted and there is no allegation of tampering with the prosecution evidence. He submits that the petitioner is in custody since more than one year and undertakes to co-operate with the trial and that an amount of Rs. 11,72, 520/- has already been deposited by the Bank in the account of Bihar State Sports Authority as it was found by the Bank that the petitioner was not involved in the transfer of the said amount in his account.

However learned A.P.P. for the State opposes the



prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Madhwendra Singh, Judicial Magistrate, 1st Class, Patna in connection with Kadam Kuan P.S. Case No. 182 of 2016, subject to the conditions that one of the bailors would be a close relative of the petitioner and the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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