

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44406 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Ashok Chaudhary @ Avinash Chaudhary son of Ragho Chaudhary R/O
village Palni P.S.Manpur Distt. Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Noorsarai P.S.Case No.157 of 2017 registered for offences
punishable under Sections 419, 420, 120(B) and 34 of the Indian
Penal Code.

Allegation against the petitioner as per FIR is that by
mistake a cheque of Rs.04 lakh of Andhra Bank was transferred
and deposited to the account of co-accused Sumit Patel and by the
time, the E.mail was received of that Branch of Punjab National
Bank informed about the same to the Branch Manager of
Noorsarai Branch of Punjab National Bank about the wrong
transfer of the amount by that time the same was withdrawn by
the ATM. So far this petitioner is concerned, it appears that he has



also got opened some accounts on some other names on collusion of the co-accused Sumit Patel.

Submission of the learned counsel for the petitioner that he is no way concerned with the withdrawal of money and the allegation is against other co-accused, who has already been granted bail by this Court, vide order dated 20.9.2017 passed in Cr.Misc. No.41928 of 2017.

Heard learned A.P.P. as well as the learned counsel for the Bank. They have opposed the prayer for bail.

Having heard both sides and in view of the fact that another co-accused has already been granted bail and the case of the petitioner is on better footing of the co-accused, as such 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 S.D.J.M., Nalanda at Biharsharif in connection with Noorsarai P.S.Case No.157 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be relative of the petitioner 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 bond.

At the same time, the learned trial court is directed to expedite the trial of the petitioner and try to conclude it within a period of nine months.

It is needless to say that both the parties shall co-operate in disposal of the trial.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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