

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54364 of 2018

Arising Out of PS. Case No.-51 Year-2016 Thana- BAHERI District- Darbhanga

Rahul Kumar Jha, son of Binodanand Jha, resident of Village - Gadhwa
Bishanpur, P.S. - Majorganj, District - Sitamarhi.
Havildar Rahul Kumar Jha, 713 F.D. P.K. CO. 71 ENGR. REGT. Meerut U.P.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Baheri P.S. Case No.51 of 2016 registered under Sections
419, 420, 424, 467, 468, 471 and 474/34 of the Indian Penal
Code.

The accusation is that the informant being the
Investigating Officer of Baheri P.S. Case No.270 of 2015
instituted on 26.12.2015 under Sections 302, 386, 387, 120(B)
of the Indian Penal Code and Section 27 of the Arms Act against
Mukesh Pathak, Vikash Jha alias Kalia and some unknown
came to know that the F.I.R. named accused Vikash Jha alias
Kalia and other non F.I.R. named accused Abhishek Jha, Nikesh



Dubey, Pintoo Jha and Karan Jha, have several Bank Account Pass-Books in different names, Voter I.D. Cards and PAN Cards for the use of illegal purposes. In that course, it was also detected that Mukesh Pathak has got opened the fake account in the name of Aditya Kumar at Pallavpuram Branch, Meerut, bearing Account No.50100129624078 with the address of Havildar Rahul Kumar Jha (petitioner), 713 F.D., P.K. Co. 71 ENGR. REGT. Meerut (U.P.), which indicates that the petitioner helped in opening the aforesaid account.

Learned counsel for the petitioner submits that, in fact, the petitioner is Havildar in the army and is presently residing at 713 F.D., P.K. Co. 71 ENGR. REGT. Meerut (U.P.) but the petitioner had no knowledge as to how his temporary address has been given by the accused Mukesh Pathak, the F.I.R. named accused of Baheri P.S. Case No.270 of 2015, in opening the Bank account. Moreover, during investigation, except the temporary address of the petitioner as given by the accused Mukesh Pathak in opening the aforesaid account, nothing has been collected by the Investigating Officer to show the involvement of the petitioner with the accused Mukesh Pathak in opening the account. The petitioner has no criminal antecedent.



Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Dharbhanga, in connection with Baheri P.S. Case No.51 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C. Out of the two sureties, one must be the father of the petitioner.

(Rajendra Kumar Mishra, J)

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