

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36239 of 2017

Arising Out of PS.Case No. -204 Year- 2015 Thana -KOTWALI District- PATNA

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Mukesh Kumar @ Bharat Prasad S/o Late Chandeshwar Sharma, Resident
of Mohalla- Kurji Balu-par, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Senior Branch Manager, Bank of Baroda, Fraser Road, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

7 16-01-2018 Heard learned counsels for the petitioner and the State as
well as learned counsel for the O.P. No. 2.

The petitioner, already in custody, seeks bail in connection
with Kotwali P.S.Case No. 204 of 2015 registered under Sections
467, 471, 472 and 420 of the Indian penal Code.

Allegation in brief is that petitioner opened a fictitious bank
account in the name of Bharat Prasad and producing forged and
fabricated cheque withdrawn approximately Rs. 7 lacs in his
account.

Learned counsel for the petitioner submits that account is in
the name of Bharat Prasad but the petitioner is Mukesh Kumar and
parentage and other details are also different and the petitioner has
been in custody since 23.02.2017.

Learned counsel for the bank submits that during



investigation, it is established that Mukesh Kumar is Bharat Prasad by identifying the photograph in the bank document opened in fictitious name of Bharat Prasad moreover cheques were created by cloning it as no such cheque was issued by the bank.

Having considered the nature of offence, the prayer for bail of the petitioner at present is rejected.

Since charge sheet has been submitted, trial court is directed to expedite the trial, after framing of charge, and conclude the same preferably within a year, however if the trial does not conclude within said period, petitioner may renew his prayer for bail.

(Arun Kumar, J)

Sujit/-

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