

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18729 of 2018

Arising Out of PS.Case No. -102 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Ashish Kumar Jha, Son of Sri Prabhash Jha @ Prabhash Kumar Jha,
Resident of Village- Khushrupatti, P.S. Murliganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-04-2018

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 420/419/379/468/471 of the Indian Penal Code.

The FIR would reveal that from the bank account of the informant Rs.98,000/- (Ninety-eight thousand) was transferred in the bank account of this petitioner, as such, the informant was found cheated by the petitioner.

Submission of the learned counsel for the petitioner is that in fact bank account in the name of the petitioner was not opened by the petitioner or to the knowledge of the petitioner. Co-accused Radha Raman Tiwari, who had obtained



copy of the PAN card etc. of the petitioner for managing loan fraudulently opened the bank account and committed forgery. Soon after the entire forgery by Radha Raman Tiwari the petitioner's father filed a complaint case against Radha Raman Tiwari vide Complaint Case No.1167(C) of 2017 and the bank authorities returned back the said amount to the account of the informant, which would be evident from para-29 of the case-diary and statement on oath in the bail petition.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Khagaria P.S. Case No.102 of 2015, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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