

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3091 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -KADAMKUAN District- PATNA

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1. PRESENJIT KR. @ PRASENJIT KUMAR @ REHAN @ CHARLES
BROOKLYN ATHONACIOUS @ SAFI AHMED ANSARI @ SAFARI
AHMED ANSARI, Son of Ram Kumar Prasad, Resident of Mohalla-
Mahadeo Puri, Tara Lane, Gardanibag, Police Station- Gardanibag, District-
Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. Union Bank of India, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh
For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel representing the

informant.

Petitioner, in the present case, is seeking regular bail
in connection with Kadamkuan P.S. Case No.281 of 2017,
registered for offences alleged under Sections 419, 420, 468, 472
and 120B of the Indian Penal Code.

The allegation against the petitioner, as per the FIR,
is that a forged and fabricated cheque which was not the original
was produced before the Bank. The said cheque was in favour of
the petitioner for a sum of Rs.1,95,000/-. The bank credited the



amount in the account of this petitioner. Later on, M/S Shankar Trexim Pvt. Ltd. from whose account the amount was credited in the account of the petitioner informed that the original cheque is still lying with them and the cheque presented in the account of this petitioner is a forged and fabricated one. Then, the present case was lodged by the bank.

Learned counsel for the petitioner submits that no doubt the petitioner is a beneficiary of the amount, but the bank is unable to explain as to whether the original cheque was produced by the business entity, as according to him the original cheque was not produced by the said business entity. Learned counsel also submits that similarly situated accused has already been granted bail.

On the other hand, learned counsel representing the informant submits that amount of Rs.1,95,000/- which was shown in the cheque bearing No.12090499 was fraudulently obtained by this petitioner through a forged and fabricated cheque.

In course of argument this Court asked learned counsel for the petitioner to explain even prima-facie his connection with the business entity and the circumstances under which the said amount was credited in the account of petitioner, but learned counsel for the petitioner is unable to explain the



same. The submission of learned counsel that similarly situated accused has been granted bail does not impress upon this Court.

In the facts and circumstances, I am not inclined to grant bail to the petitioner.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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