

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46952 of 2018

Arising Out of PS.Case No. -544 Year- 2017 Thana -KOTWALI District- PATNA

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1. RISHU @ ALOK @ ALOK SINGH son of Dinesh Singh @ Dinesh Kumar Singh resident of Village - Kewtabeer, Mahamapur, P.S. Kachwa, District - Mirjapur (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Nilesh Kumar, Adv.

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

For the B.S.N.L. : Mr. Upendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-10-2018 The petitioner is in custody since 28.04.2018 in connection with Kotwali P.S. Case No. 544 of 2017, registered for offences punishable under Sections 417, 418, 419, 420, 465, 468 and 120(B) of the Indian Penal Code.

Allegation as per F.I.R. is that the petitioner used the B.S.N.L Cheques by cloning the cheques, which were issued in the name of different persons and encashed the same. Later on, the same was detected and other cases were also lodged.

Submission of learned counsel for the petitioner is that earlier two cases have been lodged against the petitioner, one at Varanasi (U.P.) and another at Roberstganj (U.P.). the investigation made in those two cases has been incorporated in the



present case and there is no specific allegation against the petitioner in this case. It has also submitted that in other two cases, petitioner is on bail, which he has stated in para-3 of the petition. Furthermore, only the photograph of two clone cheques have been recovered from his mobile and apart from that there is nothing against him and the petitioner is in custody since 28.04.2018.

Heard learned A.P.P. as well as learned counsel for the B.S.N.L., they have opposed the prayer for bail of the petitioner on the ground that Cheque No. 119389 which was originally issued in the name of one Mrs. Geetanjali Giri of Rs. 844/- has been found in the mobile of the petitioner and by cloning, he has issued the cheque of Rs. 2,57,600/- in favour of Sunil Kumar Agarwal and while it was deposited in the Robertsganj Branch, the fraud came to light and thereafter the investigation was taken and the details of other cheques were also found in the mobile of the petitioner and the petitioner has not given satisfactory answer during investigation and it appears that an organized gang is working. Further submission is that though charge-sheet has been submitted in this case, further investigation is still going on in this case and there is chance of coming of the more evidence.

Having heard both sides and considering the facts and circumstances of the case, I am not inclined to enlarge the



petitioner on bail. This application is, accordingly, dismissed.

However, the petitioner is at liberty to renew his prayer for bail after six months.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

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