

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37384 of 2018**

Arising Out of PS. Case No.-214 Year-2017 Thana- GOPALPUR District- Bhagalpur

Ashish Jaiswal son of Murli Jaiswla, (Proprietor of Ashish Enterprises),  
resident of Mohalla- Station Road Naugachia, Police Station- Naugachia,  
District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                                   |
|------------------------|---|-----------------------------------|
| For the Petitioner     | : | Mr. N.K. Agrawal, Sr. Adv.        |
|                        | : | Mr. Vikram Singh, Adv.            |
|                        | : | Miss. Preety Kunwar, Adv.         |
| For the Opposite Party | : | Mr. Dr. Kumar Uday Pratap, A.P.P. |

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

4      07-09-2018                      Heard learned counsel for petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in  
connection with Gopalpur (Rangra) P.S. Case No. 214 of 2017  
registered for the offences punishable under Sections 409, 420,  
468, 467 and 471 of the Indian Penal Code.

Informant who is the Circle Officer, Anchal Rangra  
Chowk, District Bhagalpur has alleged that he issued a Cheque  
of Rs. 1,21,405/- in favour of Ashis Enterprises but petitioner  
withdrew Rs. 21,81,405/- from the bank from Government  
Account making interpolation in the Cheque. It has been alleged  
that petitioner has committed forgery on the cheque and



thereafter withdrew Rs. 21,81,405/- in place of 1,81,405/-.

Petitioner has agreed to refund rupees 10 (ten) lacs to the Government account and shall pay rupees 01 (one) lac each month for 10 (ten) months.

In the facts and circumstances as stated above, petitioner is directed to be released on **provisional bail** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachia (Bhagalpur) in connection with Gopalpur (Rangra) P.S. Case No. 214 of 2017, and after refund of the rupees 10 (ten) lacs in 10 (ten) months the provisional bail shall be confirmed by the learned Court below itself, failing which the bail bond of the petitioner shall be cancelled. The payment made will be subject to decision/final outcome of case with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel



his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

Accordingly, this Criminal Miscellaneous stands disposed of.

**(S. Kumar, J)**

Rajiv/manoj

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

