IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5202 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- EKMA District- Saran

==

Navin Kumar Sharma, son of Prabhunath Sharma, Village- Rith, P.S. - Ekma, Distt- Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==

Appearance :
For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Satyendra Narayan Singh

==

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-02-2019 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Ekma P.S. Case No. 241 of 2018 dated 25.09.2018 instituted for the offences under Sections 420, 467 and 468 of the Indian Penal Code.

The informant, who is a concessionaire of the State Bank of India, is stated to have permitted the petitioner to run a Customer Care Centre at Parsa in the district of Saran. It has been alleged in the FIR that the petitioner, while running the centre along with his wife had opened an account in the name of one Lalsa Devi without any authorization from her and which account was ultimately closed by the State Bank of India for preventing any fraudulent transaction in the aforesaid account.

Hence the FIR.

Learned counsel for the petitioner has submitted that from a reading of the FIR, it becomes very clear that the petitioner was permitted by the informant to run a Customer Care Centre of the State Bank of India. The other thing which gets reflected is that the aforesaid FIR was lodged only after the receipt of a letter by the informant from the State Bank of India. What were the contents of the letter has not been disclosed in the subject FIR. What amount was illegally withdrawn from the account of Lalsa Devi has also not been disclosed. Learned counsel for the petitioner has further submitted that Lalsa Devi has not come forward to say that without her authorization, the account was opened. The further argument of the learned counsel for the petitioner is that the documents which are necessary for opening an account, even in a Customer Care Centre, has not been alleged to have been forged or fabricated by the petitioner. Unless the customer would have provided such documents, the account could not have been opened. The petitioner is at a loss as to why has he been made accused in this case.

For the aforesaid reasons and taking into account the vague allegation in the FIR, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Saran at Chapra in connection with Ekma P.S. Case No. 241 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	