

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77913 of 2018

Arising Out of PS. Case No.-291 Year-2011 Thana- BAHADURPUR District- Darbhanga

Jai Praksh Son of Panna Lal Resident of 1/770, Gali No. 02, Near Rahman Building, West Rohtas Nagar, P.S. - Shahdera, New Delhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-01-2019 Petitioner apprehends his arrest in connection with Bahadurpur P.S.Case No. 291 of 2011 registered for the offences punishable under Sections 419, 420, 467, 468, 469, 471, 409 and 120B of the Indian Penal Code.

Allegation as per FIR is that cheques were issued from the office of the informant, who is Executive Engineer, Bihar Police Building Construction Corporation Ltd., in favour of two persons, Rajiv Kumar and Pranav Kumar and that cheques were encashed from Punjab National Bank, Delhi. Petitioner is not named in the FIR and later on during investigation his name transpired.

Submission of learned counsel for the petitioner is that petitioner is not named in the FIR and police after investigation submitted final form in the case finding case not



true and the name of petitioner was deliberately used for the purpose of forgery of the cheque amount because he has no concern with the Pacific Sales India. Further submission is that petitioner is a mentally retired person, which will appear from Annexure-3 and the impuged order itself shows that the amount has already been returned back in the account of Bihar Police Building Construction Corporation Ltd.

Heard learned APP also.

Having heard both sides and in the facts and circumstances and also considering the fact that the amount has been returned back in the account of Bihar Police Building Construction Ltd. and petitioner is a mentally retired person, let petitioner, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Darbhanga, in connection with Bahadurpur P.S.Case No. 291 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and



further condition is that petitioner has to co-operate in investigation, otherwise his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

