

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26878 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- SHEOHAR District- Sheohar

AAKASH KUMAR, AGE 21, Sex-Male, Son of Laxmi Narayan Prasad,
Resident of Village-Sheohar, Ward No.05, P.S and District-Sheohar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dinesh Jha, Advocate.

For the Opposite Party : Mr.Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
12.02.2019 in a case for the offence registered under Sections
420, 467, 468 and 471 of the IPC.

The prosecution story, in brief, is that the informant
has got opened joint account with his wife in the branch of Bank
of India at Hirauta, Dumma and also got Cheque Book in
connection with his account from Sl. Nos. 7001 to 7025. The
informant was using the said Cheque Book. It is alleged that on
12.10.2018, he learnt that total Rs. 1,12,000/- was less than
actual amount of his account. It is alleged that the amount of Rs.
1,12,000/- was withdrawn through Cheque No. 7026, 7029,
7030, 7031, 7033 and 7034 by different persons and date. It is



further alleged that the informant has never received the cheques from bank by which the said amount was withdrawn. The informant suspected that under conspiracy, F.I.R. named accused persons have withdrawn the amount from the account of the informant and grabbed the same.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Rs. 1,12,000/- is alleged to have been withdrawn by six different cheques on different dates. The petitioner is the Sweeper in the said Bank. He has got no concern with the functioning of the Bank. He has been made accused in the present case due to mistake of fact. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 21223 of 2019 order dated 04.04.2019.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned C.J.M.
Sheohar, in connection with Sheohar P.S. Case No. 256 of 2018.

U.K./-

(Sudhir Singh, J)

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