

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45863 of 2019

Arising Out of P.S. Case No.-296 Year-2018 Thana- KESARIA District- East Champaran

Pankaj Sah, aged about 24 years, Gender-Male, S/O Munna Sah Resident of village- Jamin Mathiya, P.S.- Meenapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with Kesariya P.S.Case No.296 of 2018 registered for an offence under Sections 420 and 379 of the Indian Penal Code.

As per prosecution case, this is allegedly a case of bank forgery by the petitioner wherein the informant's money was transferred to the account of the petitioner by way of using ATM card of the informant.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case due to highhandedness by the police. It is also submitted that the petitioner does not appear to be the beneficiary of the said transaction. It is also submitted that neither the petitioner was



seen at the place of occurrence nor any amount has been transferred to his account. He also submits that chargesheet has already been submitted and nothing incriminating article has been recovered from his possession. Petitioner is in custody since 24.01.2019

In view of the aforesaid facts, let the above named petitioner be released on 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-III, Motihari, East Champaran in connection with Kesariya P.S.Case No.296 of 2018 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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