

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63489 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- KHAIRA District- Jamui

PRAVEEN KUMAR SINGH S/o Avadhesh Prasad Singh Resident of Village-
Dharmari Chack, Ward No.6, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 409 and 420 of the Indian Penal Code
registered in connection with Khaira P.S. Case No. 131 of 2019.

3. It is submitted that the petitioner has been falsely
implicated on the accusation, *inter alia*, of having withdrawn Rs.
30,000/- and Rs. 50,000/- on 19.03.2019 and 27.03.2019 by
cheque nos. 422063 and 422064 respectively, from the Primary
School's bank account by forging the signature of the informant
and of the Secretary, Vinita Devi. It is submitted that the
petitioner who was deputed to oversee the construction of the
school building by order dated 12.09.2014 issued by the Block
Development Officer and it is only on 13.03.2019, the Block
Education Officer directed the petitioner to handover all his
financial and physical responsibilities to the informant, which
was duly followed by the petitioner. As such, the cheque book
containing cheque leaves no. 422061 to 422070 was handed over
to the informant on 18.03.2019 under his acknowledgment



(Annexure-4). It is therefore, submitted that the accusation of withdrawal by forging the informant's signature on the two cheques aforesaid is untenable. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned CJM, Jamui in connection with Khaira P.S. Case No. 131 of 2019 subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the petitioner shall produce the original letter dated 13.03.2019 handing over the cheque book containing cheque leaves no. 422061 to 422070 to the informant as acknowledged by the informant on 18.03.2019 before the learned Court below for verification at the time of surrender.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below within a further period of



four weeks after furnishing bail bond, upon verification and satisfaction with regard to the genuineness of the letter dated 13.03.2019, conversely, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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