

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71870 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- SHAHKUND District- Bhagalpur

Rajesh Kumar Das Son of Gurumukh Sharan Das Resident of Village-
Mukheriya, Police Station- Jagdishpur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-01-2019 Heard the learned counsel for the petitioner,
the informant and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Shahkund P.S. Case No. 68 of 2018 dated 28.03.2018 instituted for the offences under Sections 419, 420, 379, 467, 468 and 471 of the Indian Penal Code.

The petitioner who is a retired employee has alleged that two of his relatives (related through his son), had come to his house and had pilfered two cheque book leaves.

Learned counsel appearing for the petitioner has submitted that after retirement, the informant had around Rs. 6 lakhs in his bank account. When he went to withdraw Rs. 1 lakh for some personal work, the entire



money was stated to have been earlier taken out. The informant therefore suspected that the two cheques were taken by the petitioner and another who had visited his house and had stayed overnight and by forging his signature has taken out money from his account in the bank.

During the course of investigation, the I.O. of the case has sent a requisition before the Branch Manager asking for comparison of the signature of the informant with the signature on the cheque leaf by which money was withdrawn. The report of the Branch Manager was that the signature of the cheque was not forged and was similar to the signature of the informant.

Learned counsel for the petitioner has further submitted that the aforesaid cheque was given to him for encashing the same from the bank by the informant himself but for reasons which are not known to the petitioner, this false case has been instituted.

Considering the aforesaid facts, 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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case No. 68 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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