

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22886 of 2020**

Arising Out of PS. Case No.-186 Year-2019 Thana- KHARIK District- Bhagalpur

=====

SUSHANT SHEKHAR S/o Satya Narayan Das Resident of Tribeniganj
Bazar, P.S.- Tribeniganj, Distt- Supoul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pallavi Pandey, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 01-10-2020 Learned counsel for the petitioner undertakes to

remove the defects within three weeks after start of normal

functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Dashrath Mehta, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Kharik P.S. Case No.186 of 2019
registered for the offences punishable under Sections 467, 468,
471, 472, 419, 420 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is an employee in Raj Enterprises which is sole
proprietorship firm of one Rajendra Ram and the said firm is
working as clearing and forwarding agent (CNF) of Bullet



Refined Oil. It is submitted that while working as an employee in the said enterprises the petitioner had been engaged in promotion and sale work, the cheques were issued in favour of Raj Enterprises and, therefore, no money has been received by this petitioner.

It is further submitted that so far as this petitioner is concerned, he has no propriety interest in the said Raj Enterprises and he has not received the money in his own account.

Learned counsel has pointed out from the First Information Report itself that the informant admits that the petitioner had introduced himself as a staff of the Raj Enterprises (CNF).

Although, learned APP for the State has opposed the prayer for anticipatory bail of the petitioner, but considering the facts and circumstances of the case wherein, in the FIR itself it is stated that this petitioner had introduced himself as staff of the Raj Enterprises (CNF) at Ranchi and it is not the case of the informant that any cash amount was handed over to this petitioner, let the petitioner abovenamed in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing of bail bond of Rs. 25,000/- (Twenty Five



Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st Naugachia, District-Bhagalpur in connection with Kharik P.S. Case No.186 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

arvind/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

