

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36704 of 2020

Arising Out of PS. Case No.-158 Year-2020 Thana- HAJIPUR District- Vaishali

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1. UMESH NARAYAN RAI, Son of Late Dr. Hari Narayan Rai, Resident of Village - Umesh cinema road, P.S.- Sadar Hajipur, District - Vaishali
 2. Subodh Kumar, Son of Sri Umesh Narayan Rai, Resident of Village - Umesh cinema road, P.S.- Sadar Hajipur, District – Vaishali ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Shashi Bhushan Kumar, Adv.
For the State	:	Mr. Bisheshwar Ram, APP
For the Informant	:	Mrs. Rinha Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 25-06-2021 As prayed for, through video conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its note, dated 18.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioners seek pre-arrest bail in connection with Town P.S. Case No. 158 of 2020, registered under Sections 420, 467, 468 and 120B/34 of the Indian Penal Code.

The accusation is that Dr. Hari Narain Rai, father-in-law of the complainant/informant, Shobha Devi, was the famous doctor in Hajipur and from his own earnings he has deposited Rs.15,00,000/- in the United Bank of India, Hajipur Branch,



Hajipur, in his saving bank account number 1596010029917. After the death of Dr. Hari Narain Rai, father-in-law of the complainant/informant, Amit Kumar, son of the complainant/informant gave an application to Branch Manager, United Bank of India, Hajipur Branch, Hajipur, for payment of the deposited amount according to genealogical table, but, accused no. 1, Umesh Narain Rai, who is effective personality of Hajipur, managed to book the name of his son, Subodh Kumar, as nominee while talking in the family that the deposited amount will be distributed equally to his son and also the son of the complainant/informant. On 19.09.2013, in the day the complainant/informant went at the Bank and asked for up-to-dating the passbook, then, Umesh Narain Rai (petitioner) snatched the passbook saying that his son, Subodh Kumar, is the nominee in the account, as such, both committed forgery in the Bank with the help of the Branch Manager of the United Bank of India, Hajipur Branch, Hajipur.

Submission is that both the petitioners are non-else, but, own brother and the nephew of the husband of the complainant/informant and father of petitioner no. 1. Father-in-law of complainant/informant, during life time detailed the name of petitioner no. 2, Subodh Kumar, son of petitioner no. 1, Umesh



Narain Rai, as nominee in his saving bank account. Petitioner no. 2 is a handicapped, but, with ulterior motive complainant/informant filed Complaint Case No. 3213 of 2019, which is the basis of the first information report of the present case. Both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Town P.S. Case No. 158 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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