

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38260 of 2020**

Arising Out of PS. Case No.-574 Year-2019 Thana- KISHANGANJ District- Kishanganj

AKBAR AHMAD Son of Bazrul Karim Resident of Village- Naya Tola Line
Bazar, Behind Tulba Masjid, P.S.- K.Hat, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

6 23-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects, as pointed out by the office, when called upon to do so by the office.

The petitioner is apprehending his arrest in connection with Kishanganj P.S. Case No. 574 of 2019 for the offence registered under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The prosecution case in brief is that one Murlidhar Prasad, Executive Engineer, Works Division, Rural Works Department, Baisi gave a written application before Officer-in-charge, Kishanganj police station alleging therein that BG/FD has been issued in favour of the contractor Gufran Mustakim



and the informant in fraudulent manner by the petitioner as Branch Manager, Indian Bank Bhagat Toli Road, Kishanganj. Thereafter the details of BG/FD has been given and finally request has been made to lodge an FIR against the accused petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence and has been falsely implicated in the present case. It is further submitted that the alleged bank guarantees contain two signatures one by the petitioner, which is clearly forged, and the other signature, which has not been even identified by the bank authorities. Thus, it is manifest that alleged bank guarantees has been signed by two authority and both signatures have been found to be forged. So the petitioner is not liable for the said document and it is fault of informant authorities, who had not verified about the said document.

Learned counsel for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest/surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing



bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 574 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

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