

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.346 of 2021

Arising Out of PS. Case No.-246 Year-2017 Thana- GAYA RAIL P.S. District- Gaya

Narayan Prasad Sultania Son Of Late Purushottam Lall Sultania Working As
Director Of M/S Infra Private Limited At 122/235 A 14 Sarojini Nagar,
Kanpur (UTTAR Pradesh), Resident Of Flat No.307, Eldorado Apartment,
7/88 Tilak Nagar, Katari, P.S.-KOHNA, Kanpur (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan- Advocate
For the Opposite Party/s	:	Dr. K. N. Singh- Addl. Solicitor General
For the Railways	:	Mr. Ramadhar Shekhar- Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 21-09-2021 Heard Mr. Rajesh Ranjan, the learned Advocate

for the petitioner, Dr. K. N. Singh, the learned Additional

Solicitor General for the State and Mr. Ramadhar Shekhar,

the learned Advocate for the Railways.

The petitioner, who is one of the directors of the
Cosigner firm namely Infra Private Limited, seeks bail in
anticipation of his arrest in connection with Gaya Railway
P. S. Case No.246 of 2017, instituted for the offences under
Sections 406, 420 of the Indian Penal Code and Section 138
of the N. I. Act.

It appears from the accusation that lesser weight of
consignment was shown and when it was detected that more
amount was due to the railways, a cheque was issued but



the same was never encashed.

This Court vide order dated 24.06.2021 had granted provisional bail to the petitioner on the condition of his depositing Rs. Ten Lakhs within six weeks by way of bank draft in the Court, which was to be payable in the name of the Registrar of the Civil Courts, Gaya. The aforesaid amount was not paid and by order dated 02.09.2021, further time was granted to the petitioner to deposit the aforesaid amount.

Today, Mr. Rajesh Ranjan, the learned Advocate for the petitioner has submitted that it was only on the instructions of his client/ petitioner that such statement was made in the Court. However, the petitioner expresses his inability to make such payment even under protest and subject to his rights and contentions later.

Under the aforesaid circumstances, the provisional bail granted to the petitioner is hereby recalled.

The petition is dismissed.

In case, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the



fact that the present anticipatory bail application has not
been entertained by this Court.

(Ashutosh Kumar, J)

vikash/-

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

