

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39357 of 2020

Arising Out of PS. Case No.-744 Year-2019 Thana- BANKA District- Banka

SUMIT KUMAR Son of Bechu Ray, Resident of Village - Saidpur, P.S. -
Gopalpur, District - Bhagalpur - 853205.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 467, 468, 406, 420, 120B of the Indian Penal Code.

Allegation against the petitioner alongwith other accused persons is said to have defalcated the huge amount.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not specifically named in the FIR. The petitioner is simply authorized signatory of the joint venture for the purpose of executing agreement, documents and other official correspondence. It appears that some business rival of the two companies in the joint venture committed mischief and furnished forged and fabricated bank guarantees.



There is no material to support any involvement of the petitioner in the issuance of furnishing of the two forged and fabricated bank guarantee. The petitioner has got no criminal antecedent, which is mentioned in para 3 of the bail application. Co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 25.10.2021 passed in Cr. Misc. No. 3684/2021.

Learned APP for the State vehemently opposes the prayer for bail application.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court, in connection with Banka P.S. Case No. 744/2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Kumar Panwar, J)

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