

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30073 of 2021

Arising Out of PS. Case No.-331 Year-2020 Thana- SHEOHAR District- Sheohar

Vijay Kumar Son Of Surendra Paswan Resident Of Village- Chakraja, P.S.-
Shahjahanpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Branch Manager, Central Bank of India, Sheohar Branch, Sheohar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 11-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 406,420,465,467,468,471 and 120B of the Indian Penal Code.

The prosecution case, in short, is that the informant is having a bank account in the Central Bank of India. On 13.10.2020 the informant went to the concerned branch and while withdrawing amount and updating of his pass book, he came to know that a sum of Rs.31,50,236/- has been withdrawn



from his account in fraudulent manner. On inquiry it has revealed that some false and forged cheques were issued in name of informant and the credited amount transferred in the account of petitioner and one Deepak Paswan. Whereas the respective members of original cheques which was issued by the Bank to informant are still in his possession, power and control.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that no amount has been credited in the account of the petitioner. Petitioner is in custody since 25.01.2021.

Learned counsel for the Bank, on instruction, informs that amount in question total amount Rs.31,50,236/-has been credited in the account of the informant on 16.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case



is pending in connection with Sheohar Police Station Case No.331 of 2020, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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