

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35952 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- GANDHIMAIDAN District- Patna

PREM KUMAR Son of Shurendra Prasad Resident of Village - Gayatri
Nagar, Kurthoul, Thana- Parsa Bazar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shanker Tiwari, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 379, 420, 467, 468 and 471 of the
Indian Penal Code.

The prosecution case in short is that a cheque has been
presented before the Bank by putting fake signature.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the



present case. As per the allegation, the informant stated that a cheque of Rs. One lakh was presented in the Bank. The Bank, for the verification of the cheque in question, called upon the account holder and the account holder denied issuance of cheque in question. Then, the person who was presenting the cheque (co-accused) disclosed the name of the petitioner stating that the cheque in question was given to him by the petitioner. It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated for the reason that he happened to be employee of the account holder in question whose cheque was presented in the Bank. The petitioner left the job and had started business which is not liked by the said account holder and for oblique reasons, the present case has been instituted. The signature on the cheque was verified by the Bank and no discrepancy was found in the signature of the person who had issued the cheque in question which is evident from letter dated 7.1.2021 issued by the Bank.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned learned A.C.J.M.- XIV, Patna in connection with Gandhi Maidan P.S. Case No. 11 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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