

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34628 of 2022

Arising Out of PS. Case No.-81 Year-2015 Thana- SASARAM NAGAR District- Rohtas

SANTOSH RAI Son of Late Bansropan Rai Resident of Village - Gotpa, P.S.-
Agrer, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office be
removed within four weeks.

The petitioner is an accused in connection with Sasaram
(Model) P.S. Case No. 81 of 2015 under Sections 420, 467, 468, 471
and 120(B) of the Indian Penal Code.

The informant, who is the Chief Manager of Madhya
Bihar Gramin Bank, Sasaram has alleged that the petitioner took loan
to the tune of Rs. Two lakhs but despite several reminders, he failed
to repay the loan amount. Subsequently, it was found that security
bond of the LIC which was submitted by him in lieu of the said
amount was forged. Thus, it is clear that he had intention to cheat
from the beginning.

Learned counsel for the petitioner submits that without



going into the merits of the case, the petitioner is ready to pay a sum of Rs. Two Lakhs the amount allegedly mentioned in the FIR through demand draft issued by the local branch of the State Bank of India. He further submits that he is ready to pay additional Rs. 10,000/- to the Patna High Court Legal Services Authority, Patna.

So far as this case is concerned, learned counsel for the petitioner submits that he had not taken any loan and it is surprising that his name has cropped up as accused in the case. Nonetheless, in view of the fact that, the case has been registered, he is ready to converse with the local bank authority and sort out the differences, if he is granted the privilege of bail.

Taking into account the aforesaid positive attitude of the petitioner as also that he is in custody since 25.04.2022 and charge sheet stands submitted, this Court is inclined to grant him privilege of bail subject to payment of Rs. Two lakhs through demand draft issued by the local branch of the State Bank of India in favour of Madhya Bihar Gramin Bank, Branch Office, Sasaram, Rohtas through its Chief Manager and further deposit of Rs. 10,000/- through demand draft issued by the local branch of State Bank of India in favour of Patna High Court, Legal Services Authority, Patna.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram (Model) P.S. Case No.



81 of 2015, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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