

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48487 of 2021

Arising Out of PS. Case No.-48 Year-2017 Thana- RAGHOPUR District- Vaishali

Ujjwal Ballam @ Ujjwal Ballav, Son of Ram Bachan Rai @ Ram Bachan Singh Resident of Village - Gulamahiya Bagh, Banka Ghat, P.S.- Didarganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navnit Kumar, Adv.

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Raghopur P.S. Case No. 48 of 2017 registered for the offences punishable under Sections 467, 468, 406, 409, 420 and 120(B) of the IPC.

The prosecution case, in short, is that on 19.05.2017, Branch Manager of Allahabad Bank Patna has informed the informant about a cheque of Rs. 4,85,800/- placed for withdrawal in bank account of one Avishek Kumar. The informant found that the cheque has been issued by his forged



signature. The informant asked present Najir in this regard, who disclosed that earlier Najir Ujjwal Ballam has not handed over the aforesaid cheque-book, thereafter, the present case has been instituted against the petitioner and other accused persons.

Learned counsel for the petitioner submits that petitioner has committed no offence and he has falsely been implicated in the present case. He further submits that the petitioner was posted in Raghapur Block as Najir from 27.08.2014 but he was transferred from the said Block vide order dated 27.06.2016. Further he submits that since audit of Block was in progress due to which after completion of audit petitioner relieved from said block on 31.08.2016. He further submits that petitioner was custodian of the cheque in question but there is no involvement found during investigation. He further submits that earlier petitioner was arrested and remanded in Raghapur P.S. Case No. 27 of 2018, is lodged by the same informant with same allegations. He further submits that co-accused namely Avishek Kumar @ Sugrib has been granted privilege of regular bail vide order dated 28.06.2021 by the Court below itself and the police after investigation submitted charge-sheet against the petitioner and other accused persons and he is in custody since 29.06.2021.



Learned Additional Public Prosecutor for the State, vehemently opposed the prayer of bail by submitting that the petitioner carries two more cases other than the present one.

Considering the fact and circumstances of the case, 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 A.C.J.M.-IV, Vaishali in connection with Raghapur P.S.Case No. 48 of 2017 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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