

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62222 of 2021**

Arising Out of PS. Case No.-70 Year-2021 Thana- BARURAJ District- Muzaffarpur

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FARUKH KHAN @ FARUKH SHEIKH S/o Hanif Khan @ Haneef Resident
of Buland Sahar, P.S.- Pahasu, District- Buland Sahar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Baruraj PS case no. 70 of 2021 instituted for the offences
punishable under Sections 406, 420, 467, 468, 471 of Indian
Penal Code.

The allegation is regarding the informant having
received a telephonic call with a request to deposit the premium
of P.N.B. Metlife, whereafter the informant had asked the said
person to come to his petrol pump and take the cheque for the
said premium amount. The said person is stated to have then
arrived at the petrol pump of the informant, whereafter the
informant had handed over an account bearing cheque, drawn in
favour of P.N.B. Metlife for a sum of 36,750/-, however



subsequently, it transpired that the petitioner was trying to encash the said cheque, wherein the amount had been changed to Rs. 1 lac and the name of the drawee had been changed to one Vikash Kumar Singh, whereupon the Bank Officials had informed the informant about the same, leading to the informant reaching the Bank and then the petitioner was apprehended along with the cheque and was handed over to the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 30.04.2021. The learned counsel for the petitioner has further submitted that the fact remains that no loss has been caused to the informant, inasmuch as no money could be withdrawn apart from the fact that the cheque in question was not drawn in favour of the petitioner but in favour of one Vikash Kumar, hence, it is submitted that the petitioner is having no complicity in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on



record as also considering the fact that neither any money could be withdrawn nor any loss had been caused to the informant, apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since about one year, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of J.M. 1st class, Muzaffarpur in connection with Baruraj PS case no. 70 of 2021.

(Mohit Kumar Shah, J)

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