

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15476 of 2023

Arising Out of PS. Case No.-651 Year-2020 Thana- SASARAM NAGAR District- Rohtas

RAHUL TIWARY @ RAHUL KUMAR TIWARY S/o Gorakh Nath Tiwary
Residence of village-Gamhariya, P.S.-Nokha, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420, 409, 467, 468,
471/34 of the Indian Penal Code.

3. The allegation against the petitioner along with
another is of cheating an amount of Rs. 15,54,588.70/- from
Kalawati Enterprises Private Limited. It is further alleged that
the petitioner work was to sell the production of Firm and
submit these money in the Firm.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. From the perusal of the FIR, it appears
that from 01.06.2020 to 18.08.2020 the amount of Rs.



15,54,588.70/- has taken away fraudulently by this petitioner and other co-accused. The fact is that the petitioner left the company in April, 2020 and during investigation by police it came into light that the petitioner left the company in May 2020. During the investigation, police found that the documents submitted by the petitioner in May was false and fabricated, but in contrast of this, it is mentioned in the FIR by the informant that the fraud documents were submitted by the petitioner in the month of June from 01.06.2020 to 18.08.2020, which is absolutely wrong. No evidence has found against the petitioner to show that the said money has been transferred to the petitioner's account. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.09.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with
Sasaram Nagar P.S. Case No. 651 of 2020.

(Sunil Kumar Panwar, J)

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