

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23100 of 2022**

Arising Out of PS. Case No.-25 Year-2016 Thana- NOKHA District- Rohtas

SHEO MOHAN GIRI @ SHIV MOHAN GIRI @ MOHAN GIRI Son of Mahendra Giri Resident of Village - Baraicha, P.O.- Padariya, P.S.- Baghaila, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 24593 of 2022**

Arising Out of PS. Case No.-25 Year-2016 Thana- NOKHA District- Rohtas

KRISHNA MOHAN GIRI Son of Mahendra Giri Resident of Village - Baraicha, P.O.- Padariya, P.S. - Baghaila, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 23100 of 2022)

For the Petitioner/s : Mr. Kuber Pathak, Advocate

Mr. Baban Kumar, Advocate

For the State : Mr. Anuj Kumar Shrivastava, APP

(In CRIMINAL MISCELLANEOUS No. 24593 of 2022)

For the Petitioner/s : Mr. Kuber Pathak, Advocate

Mr. Sanjay Kumar, Advocate

For the State : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      11-01-2023

Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 420, 406, 409, 466, 467, 468 and 120B of the Indian Penal Code.

As per the prosecution case, it is stated by the



informant that she was cheated of a total sum of Rs.5 lacs by customer service point of the State Bank of India being run by the accused persons including the petitioners Sheo Mohan Giri and one Krishna Mohan Giri.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No such occurrence as alleged in the F.I.R has taken place. The petitioners are in custody since 25.6.2021 and co-accused Kaushal Kumar has been enlarged on bail vide order dated 7.3.2022 passed in Cr. Misc. no. 45858 of 2021. The petitioners undertake to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R, the same having been registered in January 2016 and the petitioner having been taken into custody only five years later on 25.6.2021, the Court is not inclined to enlarge the petitioner Krishna Mohan Giri on bail and the application is rejected.

Liberty is granted to the petitioner Krishna Mohan Giri to renew his prayer for bail after framing of charge.

In the facts and circumstances of the case, in view of the nature of allegation together with the petitioner having



remained in custody for 1 year 6 months since 25.6.2021, the petitioner Sheo Mohan Giri @ Shiv Mohan Giri @ Mohan Giri is directed to be enlarged on bail in connection with Nokha P.S. Case no. 25 of 2016 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I<sup>st</sup> Class, Sasaram.

**(Partha Sarthy, J)**

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