

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26197 of 2023

Arising Out of PS. Case No.-514 Year-2020 Thana- SHERGHATI District- Gaya

UDAY PASWAN Son of Fekan Paswan Resident of village-Bara, Police
Station-Gurua, District-Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar, Advocate.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-07-2023 Heard Mr. Dharmesh Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Parmeshwar
Mehta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sherghati P.S. Case No. 514 of 2020 registered for the
offence punishable under Sections 409 and 420(B) of the Indian
Penal Code.

3. As per the allegation made in the F.I.R., a fraud of
Rs. 10,07,500/- has been committed by the accused persons
named in the F.I.R. on the basis of fictitious and forged
certificates and documents of KCC.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is the guarantor of the
beneficiaries and the alleged fraud has been committed by the
Bank Officials who without verifying the land possession
certificate issued by the Circle Officer and the register



maintained at the Circle Office has disbursed the loan to the beneficiaries of KCC account holders. He further submits that all the other bank officials who are accused in connection with the present case have already been released on pre-arrest bail. Petitioner has no role in committing any fraud and he has only identified the beneficiaries. Petitioner was influenced by the then Branch Manager of the Bank to become guarantor of the beneficiaries and a specific statement to that effect has been made in Para-9 of the bail application.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the aforesaid facts and circumstances, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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., Sherghati, Gaya in connection with Sherghati P.S. Case No. 514 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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