

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32499 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

-
1. ASHWINI KUMAR @ ASHWANI KUMAR SON OF PANKAJ KUMAR
Resident of Village- Katra, P.S. katra, District-Muzaffarpur
 2. DINESH KUMAR SON OF CHOUDHARY SUSHIL KUMAR ROY Ward
No.26, Dumrao, P.S.- Dumrao District-Buxar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAM PRASAD CHOUDHARY S/O LATE RAM CHARITRA
CHOUDHARY Resident of Karghar, District-Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarandha Suman, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2023 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 420, 406,
120B of the Indian Penal Code.

3. As per the prosecution case, a sale deed of 2
decimals of land was executed by the complainant in favour of
petitioner on the consideration amount of Rs. 5,10,000/- for
which cheque was given by the petitioner and the same was
deposited by the complainant in Punjab National Bank, but
these accused persons gave the cheque to petitioner, due to



which complainant could not receive the consideration amount.

4. It is submitted that petitioners No. 1 is scale 1 officer while the petitioner No. 2 is the Branch Manager of Punjab National Bank, Karghar branch District-Rohtas. It is further submitted that dispute is between co-accused Sanoj Kumar and complainant. The cheque in question was deposited by the co-accused Sanoj Kumar in the bank account of the complainant who is said to be the main culprit. The date of occurrence is on 31.08.2021 but the present complaint has been lodged in March, 2022 for which there is no plausible explanation, which itself creates doubt over the veracity of the entire prosecution case. Similarly situated co-accused persons have already granted bail by this Court vide order dated 18.07.2023 in Cr. Misc. No. 29857 of 2023 . Petitioners claim clean antecedent.

5. Learned counsel for the petitioners oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of



ACJM cum Sub Judge V, Rohtas at Sasaram in connection with Complaint case No. 265 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Kaushik/-

U		T	
---	--	---	--

