

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35554 of 2023

Arising Out of PS. Case No.-293 Year-2015 Thana- SUPAUL District- Supaul

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SURESH PRASAD SON OF LATE AJAVALAL PRASAD @ AJAB LAL PRASAD R/O-RAMPUR, WARD NO. 6, P.S.-SANGRAMPUR, DISTT.-MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate along with Mr. Jitendra Kumar Singh and Mr. Kumar Rajdeep, Advocates
For the Opposite Party/s :		Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 406, 409, 467, 468, 471, 420 and 120B of the Indian Penal Code.

As per prosecution case, it is alleged that the Branch Manager of SBI Chakla Nirmali Branch, informed to the informant that cheque No. 001428 dated 17.06.2015 of Rs. 8,60,400/- was presented and after seeing the signature and papers attached thereto a doubt has been cast. Thereafter, on verification from the CCTV footage, it has been found that co-accused Bablu Kumar Chaudhary, presented the cheque and



when he was called upon. He confessed his guilt and disclosed the name of other co-accused persons.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. There is specific allegation against co-accused Bablu Kumar Chaudhary, who had presented the cheque and he has confessed his guilt. As per FIR, no material is available on record, which shows wrongful gain has been made to the petitioner or any loss caused to the bank or customer. The allegation suspected against the petitioner is only due to that the cheque contain false signature of petitioner along with two other. The signature on the cheque should be verified by any agency which will shown that it is forged signature because the petitioner has not signed on the said cheque. Fraudulent withdrawal was not made by the petitioner. He further submitted that the main co-accused namely, Bablu Kumar Chaudhary has already been granted bail by a Co-ordinate Bench vide order dated 30.11.2015 passed in Cr. Misc. No. 43359 of 2015. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 30.01.2023.

The application for bail is opposed by learned APP for



the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 concerned in connection with Supaul P.S. Case No. 293 of 2015.

(Sunil Kumar Panwar, J)

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