

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40174 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- GHOSI District- Jehanabad

=====

AMIT KUMAR S/O SUNIL KUMAR @ SUNIL SHARMA R/O VILLAGE-
DEHUNI PS. GHOSHI, DIST. JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-07-2023 Heard the parties.

The petitioner is in custody in connection with Ghoshi P.S. Case No. 196 of 2022 for the offence under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code lodged on 25.04.2022 by the informant, Pintu Kumar.

The allegation is that one Rushikesh Narayan Bhonsale got a cheque from Manish Kumar of Rs. 75 lacs which was presented in his account and upon verification, the same was found to be forged and fabricated. Accordingly, the F.I.R was lodged.

Learned counsel for the petitioner submits that if any cheque is presented to a particular account without his knowledge, he cannot be made an accused and the alleged signature on the cheque does not belong to him.



Further, the submission is that both the Rushikesh Narayan Bhonsale and Manish kumar have already been granted bail vide Cr. Misc. No. 53872 of 2022 and Cr. Misc. No. 37524 of 2023, respectively.

Learned APP opposes the prayer stating that forged cheque of Rs. 75 lacs was presented in the account of the petitioner and as such, he cannot exonerate himself from the charges.

Considering the aforesaid fact as also that he has remained in custody since 31.03.2023, do not have any criminal antecedent and two of the other accused persons have since been granted bail, as stated above, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Ghoshi P.S. Case No. 196 of 2022 subject to the following conditions:

- (i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

Jagdish/Kiran/-

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

