

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58548 of 2023

Arising Out of PS. Case No.-501 Year-2019 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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1. Siya Ram Paswan, Male, aged about 59 years, Son of Kedar Paswan.
 2. Navindra Paswan @ Nagendra Manjhi, Male, aged about 54 years, Son of Kedar Paswan
 3. Rudal Paswan, Son of Kedar Paswan, aged about 49 years
All are resident of Village-Bairi, P.O- Guthani, P.S- Suthani, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narendra Kumar Singh S/O Satya Narayan Singh R/O Village-
Babhangama, P.O.- Dumari Buzurg, Ps. Nayagaon, Dist. Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Poddar, Advocate
For the Opposite Party/s :	Mr. Kumar Samarjeet Singh, Advocate
	Mr. Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-12-2023 Heard Mr. Ashok Kumar Poddar, learned counsel
appearing on behalf of the petitioners; Mr. Kumar Samarjeet
Singh, learned counsel appearing on behalf of the complainant
and Mr. Md. Ataur Rahman, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Complaint Case No. 501 of 2019 registered for the offence
punishable under Sections 420 and 468/34 of the Indian Penal
Code.

3. As per the allegation made in the complaint case,
the petitioners have committed forgery of Rs. 4,17,000/- by



duping the informant on the pretext of providing job.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and no such offence was committed and the transaction was in good faith. He further submitted that to get rid of the criminal case, the petitioners have informed him that they are ready to deposit the entire amount which has been alleged in the complaint to have been given to the petitioners on the pretext that they will provide job in Food Corporation of India in installment. The petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned counsel appearing on behalf of the complainant submitted that he has been informed that the complainant is ready to accept the offer of the petitioners.

6. Learned APP for the State submitted that it is a private dispute and can be resolved amicably.

7. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the complaint case, it appears that in course of certain transactions allegedly on account of promise to provide job to the complainant, petitioners had committed alleged forgery of Rs. 4,17,000/-. Petitioners are ready to return the said amount,



which has been transferred in their bank account by the complainant within a period of two months. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioners, above named are directed to be released on **provisional bail** for two months, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vaishali at Hajipur, in connection with Complaint Case No. 501 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. In case, the petitioners submit acknowledgment duly signed by the complainant or having deposited the entire amount as alleged in the complaint against him in the bank account of the complainant or by any instrument, then in that case, the provisional bail granted to the petitioner shall be made absolute on such terms and conditions as the learned Court below deems fit and proper.

10. In case, the petitioners fail to deposit the entire amount within the period agreed by them, the interim protection



granted to the petitioners shall come to an end and the bail bonds of the petitioners shall be cancelled.

11. **The Court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.**

12. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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