**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.62748 of 2022**

Arising Out of PS. Case No.-119 Year-2015 Thana- CHAPRA TOWN District- Saran

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Yugeshwar Ram Son of Late Sukhdeo Ram Resident of village- Tajpur, P.O- Basahi Via Dayalpur, P.S- Janta Bazar, District- Saran

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Prabhakar

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**

ORAL ORDER

2 11-04-2023 Heard both parties.

The petitioner apprehends his arrest in Chapra Town P.S. Case No. 119 of 2015, registered for the offences punishable under Section 420 and other allied sections of the Indian Penal Code.

The present FIR has been lodged on the basis of written complaint of Town Executive Officer, Nagar Parishad, Chapra. The informant received an information in writing from his office Accountant that on 24.08.2015 at 9.00 pm while Office Accountant and Account Assistant were comparing the bank statements three cheques amounting to Rs. 4,15,368/-, 26,78,568/- and 25,78,468/- respectively were withdrawn from the account No. 0097000105445249 of 4th State Finance Commission running with Punjab National Bank, Chapra after forging signature of Withdrawing Executive Officer while those cheques were not issued by the office. It is further informed that the said cheques was handed over to Nazir Dhruv Kumar for payment of salaried of Sweepers who had not returned the same with unused blank cheques. It is further alleged that Office Accountant and Account Assistant made enquiry from the Bank and it was found that signature of cheques were not matching from the specimen signature of the concerned authority. Thereafter informant made enquiry and it was found that the amount of those three cheques were transferred to one Manoj Kumar of Bhagwan Bazar, Chapra from the account of Nagar Parishad. Thereafter, present FIR was lodged.

It is submitted on behalf of petitioner that petitioner is neither named in the FIR nor any incriminating material has been recovered from his possession rather his name transpired in this case during course of investigation, as he has checked the correctness of transfer of money of last cheque in concerned account of payee Manoj Kumar. It is further submitted that as per the norms of Bank on present of cheque for payment one employee used to make make entry of the cheques at the counter and other employees used to verify the same. It is further submitted that co-accused Masud Hassan Arif Ansari who was employee of Nagar Parishad and who name transpired during course of investigation as helper in opening account of payee Manoj Kumar has been granted bail by a coordinate Bench of this court vide order dated 21.03.2022 passed in Cr. Misc. No. 37244 of 2021.

However, counsel for State opposed the prayer for bail and submitted that during course of investigation it has come that besides other bank officials petitioner also played important role in the forgery and the witnesses examined in different para of the case diary have also supported the prosecution case.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

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