

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49997 of 2023

Arising Out of PS. Case No.-788 Year-2014 Thana- KATIHAR NAGAR District- Katihar

Rakesh Roshan S/O Domai Mahto R/O Village- Daulatabad, Ps. Azamnagar,
Distt. Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Amarnath Mahto, S/o Late Munshilal Das, R/o Village- Belown Dhangl,
P.S.-Balial Belon, Distt.-Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Riya Giri
For the State	:	Mr.Md. Ataur Rahman
For the Informant	:	Mr. Bhola Prasad
		Mr. Indrajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 08-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner has prayed for bail in a case in which
he is in judicial custody registered for the offence punishable
under Sections 406 and 420 of the Indian Penal Code.

3. It is a case of cheating. The petitioner had been
working as Branch Manager in a Company United Medicine
and Surgical Industry Limited, Katihar who induced the
complainant and several other boys to work for the company for
adding subscribers for which, they would be given 75% per
annum interest. When the complainant and others asked for their



payment, a number of cheques were issued in favour of them which were found forged and fabricated.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to local politics and personal grudge of the complainant. The date of occurrence is 10.01.2009 and F.I.R. has been lodged on 14.12.2014 without giving any satisfactory explanation of delay. The petitioner is himself an employee as a Branch Manager of the aforesaid Company United Medicine and Surgical Industry Limited. There is no specific allegation against the petitioner to induct the complainant and others to deposit the amount in the aforesaid company, which is against co-accused Amal Sarkar who has also the share holder of the company who inducted to the complainant and others to deposit the amount in the said company. Charge has been framed against the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as



period of custody, 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 C.J.M., Katihar in connection with Katihar Town P.S. Case No.788 of 2014.

(Sunil Kumar Panwar, J)

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