

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83862 of 2023

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

-
1. ALOK KUMAR SON OF BRIJNANDAN SHARMA R/O VILLAGE-PITAMBARPUR, P.S.- GHOSI IN THE DISTRICT OF JEHANABAD
 2. PRIYANKA SINGH WIFE OF ALOK KUMAR R/O VILLAGE-PITAMBARPUR, P.S.- GHOSI IN THE DISTRICT OF JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 20-07-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Ghosi P.S. Case No. 196 of 2022 for the offence under Sections 420, 467, 468, 471 and 120(B) of the I.P.C. lodged on 25.04.2022 by the informant, Pintu Kumar.

3. As per the prosecution story, the allegation is that one Rushikesh Narayan Bhonsale got a cheque from Manish Kumar of Rs. 75 lakhs which was presented in his account and upon verification, the same was found to be forged and fabricated. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that a perusal of the FIR as also the case diary would show that



Manish Kumar was the master mind who presented the cheque to the Rushikesh Narayan Bhonsale which was in the name of Amit Kumar and was presented in the Ghosi Branch of the State Bank of India and upon suspicion, when the issuing Branch was contacted, it was found that the same is forged, accordingly the FIR was lodged.

5. Learned counsel for the petitioners submit that both these petitioners are nephew and daughter-in-law of Amit Kumar, petitioner no. 1 is working in Assam Rifles as constable and due to that relationship, during construction of a house, a request was made to his maternal uncle for some money and accordingly, the same came in his account from Amit Kumar and now they found themselves implicated in the case. It is his submission that they do not have any role and will be diligently appearing in trial. The last submission is that the main accused Rishikesh Narayan Bhosley, Manish Kumar as also Amit Kumar are on bail in Cr. Misc. No. 53872 of 2022, Cr. Misc. No. 37524 of 2023 and Cr. Misc. No. 40174 of 2023 respectively.

6. Learned APP opposes the prayer stating that all these petitioners preferred bail after going into judicial custody.

7. Though, the three others have been granted bail and this is anticipatory bail, the fact remains that the main allegation



is against Manish Kumar who gave the cheque to Rushikesh Narayan Bhonsale addressed to Amit Kumar and was subsequently presented and as stated above found forged, which followed the FIR. These petitioners are couple, related to the accused Amit Kumar and it is the case that they received certain amount in their account, FIR has been lodged, they will be facing the trial, do not have criminal antecedent and petitioner no. 2 is a lady, in that background, this Court is inclined to extend them privilege of anticipatory bail with conditions.

8. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 196 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners 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 their



bail bond by the Trial Court itself;

(iii) the petitioners 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;

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

(Rajiv Roy, J)

Adnan/-

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

