

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.728 of 2024

Arising Out of PS. Case No.-350 Year-2015 Thana- BEGUSARAI TOWN District- Begusarai

Pankaj Kumar Sinha Son Of Late Jai Kishore Sinha R/O Village-
Darhwa,P.S.- Chandramandih, Dist.- Jamui. A/P R/O Satsang Nagar,Deoghar,
P.S. And District - Deoghar (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Brij Nandan Prasad, Advocate
For the State	:	Mr.Binod Kumar, APP
For the Informant	:	Mr. Raghu Raj Pratap, Advocate
		Mr. Apurv Harsh, Advocate
		Mr. Kumar Prashant Bhardwaj, Advocate
		Mr. Manu Tripurari, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Begusarai Town P.S. Case No. 350/2015 lodged on 19.07.2015
under Section 420, 467, 468, 471 and 406 of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner with an allegation that he used to
receive money from the informant to deposit the same in his
bank account but he did not deposit the same. On being asked,
he used to assure the informant falsely that the said money had



been deposited in his bank account. The total amount received by him is Rs.9,19,258/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is a private person and it is unbelievable that any person like the informant who is a retired doctor shall provide cash money to him for depositing the same in the bank account. The petitioner is in custody since 04.09.2023 having no criminal antecedent and the chargesheet has already been submitted.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner is an old aged and retired person and the accused has come in contact with him at the instance of his neighbor Manoj Kumar Sinha who is a bank employee and it is due to this reason there was occasion to faith to him.

7. In response thereto, learned counsel for the petitioner further submits that the petitioner is in custody, and during custody, it is not possible for him to return the money. However, the petitioner undertakes before this Court that he is ready to return the aforesaid money but in monthly installments



of Rs.50,000/-.

8. In this background, let the petitioner above named, be granted provisional bail, **upon production of a demand draft of Rs.50,000/- issued in favour of the informant before the Court by the petitioner**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Begusarai, in connection with Begusarai Town P.S. Case No.350/2015, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

9. The provisional bail of the petitioner shall be confirmed by the learned Court below on the production of substantial proof with respect to payment of the entire amount in favour of the informant in monthly installments of Rs.50,000/-.

10. In case of default of two consecutive months, the provisional bail granted to the petitioner shall be cancelled.

(Dr. Anshuman, J)

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