

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5656 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- BARGAINIA District- Sitamarhi

Ashok Patel @ Ashok Kumar Singh, aged about 45 years (Male), S/O Late Lagan Patel, Resident Of Village- Dumarbana, P.S- Bairstania, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Alok Kumar Jha, Advocate
For the Opposite Party : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bairstania P.S. Case No. 59 of 2024 dated 07.03.2024 registered for the offences punishable under Sections 406, 420, 467, 468 read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused Md. Wasim cheated the informant and his brother on the pretext of service in Kuwait and handed over them forged tickets of Airoplane and on that basis dishonestly inducing them and took Rs. 3,92,000/- and thereby committed forgery for the purpose of cheating and on demand of the said money, the petitioner and the co-accused persons threatened the informant.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has no concern with the informant in the whole transaction of money. The petitioner has falsely been implicated in the present case due to personal grudge as the petitioner has good relationship with the co-accused Md. Wasim who tried to pacify the matter. It is further submitted that from perusal of the F.I.R., it appears that the informant and his brother had given the original copy of their passport and Rs. 2,00,000/- in cash to the co-accused Md. Wasim and not to the petitioner and later on Rs. 1,92,000 has been paid through online by the informant but it has not been mentioned that the said amount has been paid to whom. It is further submitted that from perusal of the F.I.R., it appears that there is specific allegation against the co-accused Md. Wasim and there is general and omnibus allegation against the petitioner. He has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 07.08.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi and or his successor court in connection with Bairgania P.S. Case No. 59 of 2024 with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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