

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

ORIGINAL JURISDICTION

Dated the 31st of October, 2012

First Bail Application No.759 of 2012

Order on the bail application of the accused.

Virendra Kumar Sahu

.....Applicant

Versus

State of Uttarakhand

..... Opposite Parties

**In FIR No.94/2012, U/s 420, 417, 467, 471, 465 IPC,
P.S. Haldwani, District Nainital**

Hon'ble Servesh Kumar Gupta, J.

Mr. Vipul Sharma, Advocate, for the applicant.

Ms. Sangeeta Miyan, Brief Holder, for the State.

It appears that the allegations against the present applicant are that by taking a cheque worth Rs.1,000/-, he changed the digits thereof, making the amount of cheque to be Rs.90,000/- and accordingly, received the payment. The cheque was issued by Mr. Deepak Bakshi, the owner of showroom wherein some garments under the brand 'Jockey' are being sold. Somehow this accused could manage to get the cheque of Cheque and by changing the digits, he obtained the payment, as stated above. The applicant is caption since 23.03.2012. Besides, co-accused Nitin Arora has also been set at large on 27.4.2012 by the order of Sessions Judge, Nainital itself, whereas the bail application of the present applicant was rejected by the court below on 18.05.2012.

Learned State counsel has argued that as indicated in the bail rejection order, two FIRs of like crime are already existing against the present applicant. Besides, it has also

been observed in the said order that the permanent address of the applicant does not have any verity.

Considering the facts and circumstances of the case, particularly the period of detention for such a crime, the applicant is hereby admitted on bail on his executing a personal bond, and on furnishing two sureties, each of the like amount, to the satisfaction of the Magistrate concerned. Learned Magistrate, before releasing the accused, will take special care to verify the potentiality of the sureties, so furnished by the accused in view of the observation made in the rejection order by the Sessions Judge.

Bail application is disposed of accordingly.

(Serves Kumar Gupta, J.)

Dated 31.10.2012

Rdang

