

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 2779/2000

(From the judgement and order dated 28/06/2000 in CRLM 3021/2000
of The HIGH COURT OF PATNA AT RANCHI)

GAMA SINGH

Petitioner (s)

VERSUS

STATE OF BIHAR

Respondent (s)

(With Appln(s). for stay and Office Report)

Date : 30/10/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s)

Mr. Shree Pal Singh,Adv.

For Respondent (s)

Mr. B.B. Singh, Adv.
Mr. Kumar Rajesh Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

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.SP2

Leave granted.
The appeal is allowed in terms of the signed order.

.SP1

Sarita (H.K. BHATIA)@@
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COURT MASTER@@
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(Signed order is placed on the file)

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GAMA SINGH

...APPELLANT

VERSUS

STATE OF BIHAR

...RESPONDENT

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....T.....J.....
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Leave granted.

The appellant applied for anticipatory bail and the same was rejected by the High Court. However, appellant was given the relief on condition that if he deposits the entire amount of Rs.1,00,000/- (rupees one lakh) with the trial court or pay the same to the complainant, he could apply for the bail after surrendering himself to the Court. The case against him is that he forged a document which is styled as 'Withdrawal Form'. The document was originally issued according to the complainant in a sum of Rs.10,000/- (rupees ten thousand) and the allegation is that appellant had made it into Rs.1,00,000/- and encashed the same. The photocopy of the document is produced which apparently shows that the figure has been written in words also. If that be so, prima facie it is for the complainant to show how the words remained on the document ..2/-

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at the time when he executed the same. In the aforesaid circumstances this is a fit case where appellant could be released on bail even with the help of a pre-arrest bail order.

We, therefore, allow this appeal and direct that the appellant, if arrested, shall be released on bail on executing the bond to the satisfaction of the arresting officer.

.SP1

.....J.~
(K.T. THOMAS)

New Delhi,
October 30, 2000.

.....J.
(R.P. SETHI)

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