

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30575 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

=====

Ranjeet Kumar Son of Rajesh Prasad Resident of Mohalla - Near Durga
Mandir, Roze Road, Police Station - Sasaram, District - Rohtas, Presently
resident of Road No. 5 House No. 57, Patel Nagar, tenant into the house
Shashank Sinha, Police Station - Shastrinagar, District - Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

=====

with

Criminal Miscellaneous No.40247 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

=====

Sumit Kumar Son of Sri Ranjit Singh resident of Matakhudi Lane, P.O.
Mahendru, P.S. Sultanganj, District - Patna 800006

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

=====

Appearance :

(In Cr.Misc. No.30575 of 2015)

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the E.O.U. : Mr. Akhileshwar Prasad Singh, Sr. Adv.

(In Cr.Misc. No.40247 of 2015)

For the Petitioner/s : Mr. Fasihur Rahman Mallick

For the E.O.U. : Mr. Rajeev Ranjan Prasad.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 10-11-2015 Both petitions are out of Economic Offences P.S.

Case No. 02 of 2015 registered under Sections-419, 420, 467, 468,

471, 472/34 of the Indian Penal Code and Section-66 of the I.T.

Act and accordingly, both petitions are being heard and disposed

of by this common order.

Heard learned counsels for the petitioners and learned Special Public Prosecutor for the State.

Petitioners along with one co-accused were caught by the police officials on the information that petitioners and their associates were indulged in withdrawing huge government money after preparing forged and fabricated cheques.

In huge quantity ATM cards and other incriminating documents were recovered from possession of the petitioner in Cr. Misc. No. 30575 of 2015 and so far as petitioner in Cr. Misc. No. 40247 of 2015 is concerned; two mobile sets, one ATM card and one Rupay Card were recovered.

Learned counsel, appearing for petitioner in Cr. Misc. No. 30575 of 2015 submits that the aforesaid petitioner is in jail custody for near about 9 months and investigation against him has already been completed. It is further contended by him that except the aforesaid recovery, there is nothing on the record to show that any forged document was used by petitioner for withdrawal of amount.

Learned counsel, appearing for petitioner in Cr. Misc. No. 40247 of 2015 submits that except the aforesaid recovery, there is nothing against the petitioner and moreover, recovered



mobile sets belong to the petitioner and so far as recovery of ATM card as well as Rupay card is concerned; as a matter of fact, the aforesaid ATM card and Rupay card have never been recovered from possession of the aforesaid petitioner. It is further contended by him that no doubt, petitioner was caught along with petitioner in Cr. Misc. No. 30575 of 2015 but as a matter of fact, the police implicated the petitioner in the alleged crime on the basis of alleged recovery with intent to justify the arrest of the petitioner.

On the other hand, learned Special Public Prosecutor, vehemently, opposed the prayer pointing out different paragraphs particularly, paragraphs-167, 175 & 216 of the case diary and submitted that in course of investigation, it was detected that petitioner in Cr. Misc. No. 30575 of 2015 had got opened a fake account in the bank and also deposited forged cheques for withdrawal of the amount.

Considering the aforesaid facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner (in Cr. Misc. No. 30575 of 2015) namely, Ranjeet Kumar on bail at least, at this stage and hence, his prayer for bail in connection with Economic Offences P.S. Case No. 02 of 2015 pending in the court of learned Sub Divisional Judicial Magistrate, Patna stands rejected.

So far as petitioner (in Cr. Misc. No. 40247 of 2015) namely, Sumit Kumar is concerned; he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Economic Offences P.S. Case No. 02 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna.

(Hemant Kumar Srivastava, J)

A.K.V./-

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