

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35242 of 2015

Arising Out of PS.Case No. -1 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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1. OBINI RABIDAS @ OBONICHAND DAS @ OBONI RABI DAS S/o
Late Naresh chandra Das Resident of Dargha Tola, P.s Sadar, District
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate.
Mr. Sujit Sinha, Adv.

For the Informant : Mr. Vivekanand Singh, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 01-12-2015 Heard the learned counsel for the petitioner, the
learned A.P.P as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 420, 406, 467, 468 and 471 of the I.P.C

Allegedly, the petitioner and other co-accused opened
the branch of Great Overseas Comodial Limited at Rambagh, P.S.
Sadar, District- Purnea and after appointing the local agents got
deposited about Rs. 17,00,000/- and thereafter closed the office
and became traceless.

Submission is of false implication and that the
petitioner was one of the senior agent working in the said



company for the period of two years without any complaint. The petitioner has not opened the branch and issued pass-book or other document as like the informant the petitioner was also an employee and has nothing to do with the administration or business of the company. The petitioner has been made an escape goat. The informant was also responsible for depositing the amount. The company and the Director have not been made party and he is suffering in custody since 10.04.2015 having no criminal antecedent. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is also responsible for the said cheating and in panchayati has agreed to refund the money but did not refund the same. The petitioner and co-accused have invested the money in purchasing the land and now they are evading in returning the amount.

In the facts and circumstances as stated above, considering detention of the petitioner and further that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs.

10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Purnea in K. Hat P.S. Case No. 01 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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