

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23389 of 2016

Arising Out of PS.Case No. -5 Year- 2013 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Rajesh Kumar @ Rakesh Kumar @ Pappu Son of Vidyasagar Bhagat
Resident of village - Pankha Toli, P.S. Kazi Mohammadpur, District -
Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The General Manager, Punjab National Bank, Bihar Circle, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

5 15-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections-420, 467, 468, 471, 120(B) of the Indian Penal Code.

Petitioner got opened a company posing that the
aforesaid company had tie up with Punjab National Bank. The
petitioner presented himself as Managing Director of the aforesaid
company and in the name of appointment, he took amount from
different persons and also got opened accounts in his company
through several persons, which is evident from perusal of
paragraph-73 of the case diary.

Submission on behalf of petitioner is that the petitioner



was made accused in altogether five cases and in all the cases, he was granted privilege of bail by different benches of this court. It is also pointed out by him that a coordinate bench of this court while granting bail to the petitioner in Kazi Mohammadpur P.S. Case No. 253 of 2010 vide order dated 03-03-2015 passed in Cr. Misc. No. 48907 of 2015, directed the court below to consider amalgamation of the aforesaid case with present case as well as some other cases and therefore, the aforesaid fact goes to show that almost all the cases had arisen out of the similar transaction. It is further submitted that moreover, not a single customer came before the investigating officer to make complaint against the petitioner and no incriminating articles have been recovered from conscious possession of the petitioner. It is further submitted that some co-accused have already been granted privilege of bail whereas; petitioner is in jail custody since the year, 2014 and trial of the petitioner is still at infancy stage.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Lalganj P.S. Case No. 05 of 2013 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at

Hajipur subject to condition that the petitioner shall attend the trial court, in person on each and every date for a period of one year or till conclusion of his trial, whichever is earlier and if, he fails to do so on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner and, furthermore, he shall not leave the country without prior permission of the court.

A.K.V./-

(Hemant Kumar Srivastava, J)

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