

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7557 of 2016

Arising Out of PS.Case No. -9 Year- 2015 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Dharmendra Kumar Singh @ D.K.Singh, son of Sri Abhinash Kumar Singh, resident of Flat No. 508, Mahabir Inclave Ambedkar Path, Khagpura, P.S. Rajeev Nagar, Dist. Patna.

.... Petitioner/s

Versus

The State of Bihar Through I.G., E.O.U, Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Dhananjay Nath Tiwari, Adv.
For the Opposite Party/s : Mr. V.N.P.Sinha(EOU)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner and counsel
for the Economic Offences Unit.

As per First Information Report, on 21.7.2015, a message was received from the Military Intelligence Department that one Raj Mangal, son of Fudaini Paswan near Sonu Medical Hall made illegal transaction through in ICICI Bank Account No. 625901544672 and has a relation with anti national element. A team was constituted under the leadership of Sy. S.P. Anand Kumar Pandey to verify the same. It was found that the account was opened on 1.9.2012 and has been closed on 1.10.2012. It was also found that the money of different denominations have been received from different places. It has further been stated that on further enquiry, Raj Mangal had narrated that one Ashish Kumar,

posted in the I.C.I.C.I Bank Branch, Exhibition Road, Patna, got the account opened on the pretext of reaching to the target. During investigation, it has been found that they have opened the account for the illegal purpose.

Learned counsel for the petitioner has submitted that it is the transaction of amount of Rs. 1 lac from different places and there is no matter to show that this money has any connection with the anti national element or has any specific allegation about the connection with the anti national element and so much so that learned counsel for the petitioner has also relied on two orders of this Court passed in favour the Jitendra Srivastava @ Jitendra Kumar Srivastava and Adarsh Kumar Shrivastava who have been granted bail by order dated 25.1.2016 in Cr. Misc. No. 48249 of 2015 and order dated 11.2.2016 in Cr. Misc. No. 5133 of 2016.

Learned counsel for the Economic Offences Unit has submitted that during investigation it was found that they are engaged in the wrong activity and for that they have opened the account for a temporary period and then closed it. The purpose was to ditch the person.

As the investigation has been completed and charge-sheet has been submitted, let the petitioner, namely, Dharmendra Kumar Singh @ D.K. Singh, 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 learned Sub Divisional Judicial Magistrate, Patna in connection with Economic Offence P.S. Case No. 09 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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