

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5133 of 2016

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

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Adarsh Kumar Shrivastava son of Late Ramashrya Prasad Shrivastava,
resident of Saraiya, Ward No. 3, Yadopur Chowk, P.S. and District-
Gopalganj

.... Petitioner

Versus

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

.... Opposite Party

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Appearance :

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

Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s (EOU) : Mr. Akhileshwar Pd. Singh (Sr. Adv.)

Mr. Rajeev Ranjan Prasad, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 11-02-2016 Heard learned counsel for the petitioner and learned
counsel appearing for E.O.U.

The petitioner is in custody since 05.08.2015 in
connection with Economic Offence P.S. Case No. 09/2015,
registered for the offences punishable under Sections 406, 420,
467, 468, 471, 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that
considering all the facts and circumstances and allegations carved
in the FIR, the only allegation made against the petitioner is that
he was introduced by one D.K. Singh for opening an account and
subsequently he along with three others introduced one Rajmangal
into opening an account with the ICCI Bank, Exhibition Road,

Patna from which some illegal transactions of deposit and withdrawal of money has been made.

Learned counsel for the petitioner further submits that along with the petitioner two other persons, namely, Md. Shafi and Jitendra Srivastava have also been named as being the introducers of the said Rajmangal who appears to be main accused in the present case. It is further submitted that the said Jitendra Srivastava @ Jitendra Kumar Srivastava has been extended the privilege of regular bail vide order dt. 25.01.2016 passed in Cr. Misc. No. 48249/2015.

Considering the entire facts and circumstances and also in view of the fact that save and except allegation of having introduced the said Rajmangal there is no cogent material on record and that no ATM, cheque-book or pass-book has been recovered from the possession of the petitioner, let the petitioner 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. 09/2015.

It is made clear that all terms and conditions as mentioned in the order dated 25.01.2016 in Cr. Misc. No. 48249/2015 shall also be quoted in the present case which are as

follows:

- (i) One of the bailors must be near relative
- (ii) Another having sufficient immovable property within the territorial jurisdiction of the court concerned, and
- (iii) 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.

(Anjana Mishra, J.)

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