

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13413 of 2016

Arising Out of PS.Case No. -425 Year- 2012 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Haribansh Singh Son of Tribhuvan Singh Resident of Village -
Dakhsinayan Housing Colony, Tegharia, Block - A, 2nd Floor, Tegharia,
Near Loknath Temple, P.O. Hatiara, P.S. Baguiati, Kolkata - 700059, West
Bengal..... .. Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 12-05-2016 Heard learned counsel for the petitioner and learned APP for
the Sate.

The petitioner seeks bail in connection with Aurangabad
Town P.S. Case No. 425 of 2012 registered for the offences punishable
under Sections 420 and 468 of the Indian Penal Code.

Allegedly, the petitioner was Executive Director of OCPL
Company and it is alleged that Rs. 5,000/- was deposited in Bibhuti
Insurance Pvt. Company Limited and Rs. 5,000/- in Birla Sun Life
Insurance Company Pvt. Limited and accordingly, receipts were given
but original receipts and bond papers were not given by Pankaj Kumar
Sinha and in this way the complainant and Sandesh Kumar were put in
wrongful loss of Rs. 40,000/-.

Submission is of false implication and that the petitioner
was simply an employee, Surendra Mishra has admitted that he was the

Director of the said company and after deposit of Rs.1,20,000/- he has been allowed pre-arrest bail vide Cr. Misc. No. 45939 of 2015 and similarly situated other co-accused Pankaj Kumar Sinha, Niraj Kumar and Atyanand Pandey have been allowed pre-arrest bail by different Benches of this Court and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 12.02.2016.

Learned APP fairly submits that other co-accused have been allowed bail but the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 425 of 2012, 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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