

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33189 of 2016

Arising Out of PS.Case No. -13 Year- 2013 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Bidyut Sarkar @ Ashok Das @ Bidyut Kumar Sarkar, aged about 63 years, son of late Bibhuti Bhushan Sarkar, resident of Bharat Nagar, P.S. Madhayam Gram, District- 24 Uttar Pargana, Koklkata, State- West Bengal.

.... Petitioner

Versus

1. The State of Bihar.
2. The Economic Offence Unit, Patna Bihar.

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Kamlesh Kumar Singh, Adv.
For the EOU : Mr. Akhileshwar Prasad Singh, Sr. Adv.
Mr. Rajeev Ranjan, Adv.
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 23-08-2016 Heard learned counsel for the petitioner, learned senior counsel for the EOU and learned APP for the State.

2. The petitioner is in custody since 31.08.2015 in connection with Economic Offence P.S. Case No. 13 of 2013 for the offences alleged under Sections 406, 409, 419, 420, 465, 467, 468, 469, 471, 472, 473 and 120(B) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the thrust of accusations with regard to the forged cheques is against co-accused Sunny Priyadarshi and Vishwa Vijay Singh. The said Sunny Priyadarshi has been granted bail by this Court in Cr. Misc. No. 2101 of 2014 and so also similarly situated accused Prakash Roy @ Prakash Kumar Rai @ Prakash Rai has been granted bail by this Court in Cr. Misc. No. 24397 of 2014.

4. Learned APP assisted by learned senior counsel Mr. Akhileshwar Prasad Singh appearing on behalf of the Economic Offence Unit (opposite party no. 2) appears and opposes the bail

petition submitting that after due investigation charge sheet has been submitted against the petitioner.

5. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Economic Offence P.S. Case No. 13 of 2013 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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