

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54625 of 2017

Arising Out of PS.Case No. -127 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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Sanjay Chauhan Son of Musafir Chauhan, R/o Village- Barari Bigha, P.S.-
Chewara, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 22-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Laheri P.S. Case No. 127 of 2017 dated 08.04.2017 instituted for
the offences under Sections 420, 406, 467, 468 of the Indian Penal
Code.

The petitioner is alleged to be the Additional
Director of “Enormous Company Industry Limited” which has
induced many innocent investors in spending money in the shape
of debentures, recurring deposits, MIS schemes etc. As the
allegation stands, even on the maturity of the schemes, the
investors have not been given their due amount. Later, the



informant and forty others who have signed the F.I.R, found out that the accused persons who are the office bearers of the aforesaid company have closed the office at Biharsharif and have fled away.

Learned counsel for the petitioner has submitted that the petitioner was never entrusted with the responsibility of being an Additional Director of the company; rather, he was only an ordinary employee of the company and was being paid wages. He too alleges to have been cheated by the aforesaid company. For the fault of his being part of the organization, he has been facing prosecution at a number of places; which statement would be evident from the fact that the petitioner has been remanded in this case from another case about which reference has been made in para 3 of the petition. The petitioner was initially arrested in Chewara P.S. Case No. 23 of 2016 at Sheikhpura for similar allegations and was taken into custody in that case on 20.07.2016. In the aforesaid case, the trial is continuing and some of the witnesses have also been examined. It has further been submitted that the petitioner was remanded in the present case on 08.06.2017. Thus, for all practical purposes, the petitioner has remained in custody since 20.07.2016 till date. The petitioner has been granted bail in the earlier case which was lodged at Sheikhpura vide order dated 21.06.2017 passed in Cr. Misc. No.



26502 of 2017.

The petitioner assures the Court that he shall participate in the trial and would not flee away from the course of justice. For the aforesaid purpose, he has volunteered that one of the bailors would be his father with whom he resides at his parental home. The father of the petitioner has movable and immovable properties in his name and there is no likelihood, in the event of his father standing as a surety, of the petitioner fleeing away from the course of justice.

For the facts stated above, the petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Nalanda at Biharsharif in connection with Laheri P.S. Case No. 127 of 2017, subject to the condition that one of the bailors shall be the father of the petitioner.

The petitioner shall, however participate in the investigation of other cases of similar nature and would not do anything which would impede the early conclusion of the trial of such cases in which he has been made accused. The petitioner shall also not leave the territorial confines of the State of Bihar without the permission of the Courts before which the cases



against him are pending. Any breach of the aforesaid direction would entitle the concerned Courts to proceed ahead for cancellation of bail of the petitioner and of taking take appropriate steps for taking him into custody.

(Ashutosh Kumar, J)

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