

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36672 of 2017

Arising Out of PS.Case No. -227 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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Nirmal Kumar Roy @ Nirmal Kr. Roy @ Nirmal Kumar Rai Son of
Jatindranath Roy, R/o 146/50 Kavi Naveen Sen Road, Dumdum, North
24 Kolkatta, P.S.- Dum Dum, District- Kolkatta (W.B.).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha
Mr. Diwakar Sinha, Advocates.
For the Informant : Mr. Kamendra Pd. Singh, Advocate.
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.05.2017 in connection with Aurangabad (Town) P.S. Case No. 227 of 2015 arising out of Complaint Case NO. 349 of 2015 for the offences alleged under Sections 420, 406, 120(B) of the Indian Penal Code and 138 of the Negotiable Instrument Act.

3. It is submitted that the petitioner has been falsely implicated merely because the petitioner happens to be an employee of the concerned Company. The thrust of accusation in the F.I.R. is against Sukanta Bhowmik, Managing Director and Somnath Chattopadhyay @ Somnath Chattarjee, the Development Manager of the Company. Even according to the F.I.R. no money has been paid to the petitioner nor has he entered into any agreement with the informant. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant opposes the bail petition submitting that the petitioner



was the Director of the Company and all the accused persons have defrauded not only the informant but other persons as well in a concerted manner. The F.I.R. contains specific accusation against all the accused persons including the petitioner of procuring investments for the Company and giving guarantee. Co-accused Somnath Chattarjee @ Somnath Chattopadhyay has been refused bail by this Court in Cr. Misc. No. 34331 of 2017.

5. Be that as it may, having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The bail petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

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