

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28281 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -KADAMKUAN District- PATNA

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Presenjit Kr. @ Prasenjit Kumar @ Rehan @ Charles Brooklyn
Athonacious @ Safi Ahmed Ansari @ Safari Ahmed Ansari Son of Ram
Kumar Prasad Resident of Mohalla- Mahadeopur, Tara Lane, Gardanibagh,
Police Station- Gardanibagh, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Ojha

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 20-06-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

Earlier the prayer for bail of this petitioner
was rejected vide order dated 17.01.2018 passed in Cr.
Misc. No. 3091/2018.

At the outset, learned counsel for the
petitioner submits that petitioner is not a habitual offender,
he is a trained pilot and has fallen to the unfortunate
circumstance under which a sum of Rs. 1,95,000/- came to
be transferred in his account without his knowledge.
Learned counsel submits that instead of trying to explain
the transfer of the amount in the account and the
connected reasons thereof at this stage, the petitioner



would be ready and willing to deposit Rs. 1,95,000/- at this stage for the purpose of grant of bail, subject to the final result of the case. It is submitted that a sum of Rs. 1,18,000/- is already lying in the bank account which is under seizure by the bank and the account is not being allowed to be operated to the petitioner. Learned counsel further submits that father of the petitioner is a government employee and is ready to stand one of the bailors in this case. It is also submitted that petitioner would be ready and willing to cooperate in course of trial.

Learned Additional Public Prosecutor for the State is present and submits that if the petitioner is undertaking to deposit Rs. 1,95,000/- for the present, he will have no issue at least at this stage.

Considering the facts and circumstances of the case particularly the submissions made at the bar whereunder the petitioner is willing to deposit a sum of Rs. 1,95,000/-, subject to the final result of the case and without prejudice to his submission as also that his father being a government employee stands one of the bailors for the petitioner, I would direct release of the above-named petitioner on bail on furnishing bail bond of Rs. 25,000/-



(twenty five thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Judge – VII-cum-A.C.J.M., Patna in connection with Kadamkuan P.S. Case No. 281/2017.

While submitting the bail bond in the court below the petitioner shall also furnish a proof of deposit of Rs. 1,95,000/- with the bank which will include any amount lying with the bank in the concerned account which the bank would be entitled to transfer itself and the petitioner undertakes not to raise any objection against such transfer of the amount. The deficit amount, if any, shall be deposited by the petitioner in the account and the bank will issue a certificate acknowledging such deposit of Rs. 1,95,000/-. It will be subject to final result of the case.

Accordingly, this application stands disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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