

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57918 of 2018

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1. Ram Singar Tiwary @ Ram Singar Tiwari Son of Late Jagdish Tiwary
Resident of Cold Storage Campus, Police Station - Sabour, District -
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sukhdeo Thakur son of Late Bhagwan Thakur Resident of Village -
Panchrukhi, Police Station - Shahkund, District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-09-2018 The petitioner is in custody since 20.01.2018 in

connection with Complaint Case No. 1656 of 2016, registered for

offences punishable under Sections 420, 406, 323/34 of the Indian

Penal Code.

Allegation against the petitioner, who happens to be

the Director of Excella Real Project India Ltd., is of

misappropriation of Rs. 25,00,000/-, which the complainant and

others had deposited after collection of investment from the

customers.

Submission of learned counsel for the petitioner is that

this company is under liquidation and the petitioner has also

invested Rs. 11,00,000/-. Further submission is that three other



cases have been lodged against the petitioner and in two cases, petitioner has been released on bail by Coordinate Bench of this Court vide order dated 18.05.2018 passed in Cr. Misc. No. 23205 of 2018 and vide order dated 28.09.2018 passed in Cr. Misc. No. 58315 of 2018. The petitioner is in custody since 20.01.2018 and ready to abide by any condition imposed on him.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Bhagalpur, in connection with Complaint Case No. 1656 of 2016, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself



available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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