**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.18467 of 2018**
Arising Out of PS.Case No. -39 Year- 2014 Thana -ECONOMIC OFFENCES, BIHAR District- PATNA

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1. Ajay Kumar Mandal @ Ajay Mandal @ Ajay Kumar S/o Late Radha Prasad Das, R/o Village- Majhua, P.S.- Farbesganj, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Inspector General, Economic offence Unit, Bihar, Patna.

.... .... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Baleshwar Kamat
For the Opposite Party/s : Mr. Ajay Kumar-1

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 12.09.2017 in connection with Economic Offences Case No. 39/2014 registered for the offences punishable under Section 420/406/467/468/471/120B of the Indian Penal Code.

Learned counsel for the petitioner submits that earlier the petitioner was taken into custody in connection with Forbesganj P.S. Case No. 330 of 2014 for same and similar allegation, but he has nothing to do with the transaction of the said M/s Pratigya Housing Finance and Construction Co. Ltd. at Subhour, Bhagalpur. He further submits that whatever collections were made at Subour, the petitioner had no role to play and is not functioning as an Agent. He thus submits that this prosecution in

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connection with the present case is wholly misconceived and he cannot be hauled up for any act of omission and commission which took place in the Subour, Bhagalpur by the M/s Pratigya Housing Finance and Construction Co. Ltd. It is further submitted that the petitioner has already been extended the privilege of regular bail in connection with other case and the order for same finds place at Annexure-2 at page No. 27 of the present application.

In view of the aforementioned facts and circumstances and the vague nature of allegations made against the petitioner in connection with the present case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, in connection with Economic Offences Case No. 39/2014 , subject to the following conditions:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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

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reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjana Mishra, J)**

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