

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6094 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Yashwant Bharti Late Satyanaryan Bharti Resident of Village- Shiwaisingpur,
P.S.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Sandesh Roy
For the Opposite Party/s : Mr.Akbar Ali

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 28-03-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

Petitioner, who is in custody, seeks bail in connection
with Mohiuddin Nagar P.S. Case No. 45 of 2018 registered for
the offence punishable under Sections 406, 420 of the Indian
Penal Code and Section 3B, P.P.I.D. Act.

Informant has alleged that her husband being A.S.I.
in Bihar Police died on duty during the 2004 Lok Sabha
elections. On the persuasion of one Yashwant Bharti (petitioner),
coordinator of Sahara India Investment Company, she invested
huge amount of money under different schemes in the said
company. She has further alleged that after maturity, the amount
was reinvested forcefully. As a result, she did not get any



maturity amount, and consequently, she is unable to get her daughter married due to financial hardship.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is only the private commission agent and he has not misappropriated her money. It has been further submitted that co-accused, namely Virendra Kumar Gandhi @ Birendra Kumar Gandhi has been granted regular bail by a co-ordinate Bench of this Court vide order dated 30.01.2019 passed in Cr. Misc. No. 4948 of 2019 and other co-accused, namely, Anand Bharti has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.03.2019 passed in Cr. Misc. No. 634 of 2019. Petitioner is in custody since 16.11.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 45 of 2018 subject to the conditions that:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

