

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7208 of 2019

Arising Out of PS. Case No.-147 Year-2017 Thana- ARA NAGAR District- Bhojpur

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Vishal Kumar Sinha, aged about 45 years, (Male), S/o Sri Uma Kant Prasad,
Resident of New Colony, Jailhatta, Sarvodya Nagar, Daltanganj, P.S.
Daltanganj, District, Palamau, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 7559 of 2019

Arising Out of PS. Case No.-148 Year-2017 Thana- ARA NAGAR District- Bhojpur

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Vishal Kumar Sinha, aged about 45 years, (Male), S/o Sri Uma Kant Prasad,
Resident of New Colony, Jailhatta, Sarvodya Nagar, Daltanganj, P.S.
Daltanganj, District, Palamau, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 7208 of 2019)

For the Petitioner/s : Mr.Satyam Shivam Sundaram

For the Opposite Party/s : Mr.Uday Chand Prasad

(In CRIMINAL MISCELLANEOUS No. 7559 of 2019)

For the Petitioner/s : Mr.Satyam Shivam Sundaram

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 14-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 406, 420, 120(B)/34 of the
Indian Penal Code.



Informant has alleged that the accused persons including the petitioner opened a Branch in Ara under DJN Commodities Group of Company and through open advertisement, meetings and Seminars, they made an impression that they were doing business in different field which was approved by the Government. It was further alleged that the aforesaid company offered 4 to 10% interest per month on the deposits made to the Company and the said interest amount shall be transferred to the account of beneficiary. The informant further alleged that on the aforesaid offer, the informant, his wife and son deposited an amount of Rs.47,00000/- in the account of Company. It is further alleged that informant and others approached the Branch office of the company at Ara but the same was found closed.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner did not misappropriate the money of informant. Petitioner is in custody since 22.07.2016. Similarly placed co-accused has already been granted bail by this Court vide order dated 26.02.2019 passed in Cr. Misc. No.10762 of 2019.

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/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Ara Nagar P.S. Case No. 147 of 2017 (Cr. Misc. No.7208 of 2019)** and **Ara Nagar P.S. Case No. 148 of 2017 (Cr. Misc. No.7559 of 2019)** , with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

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