

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10386 of 2019**

Arising Out of P.S. Case No.-5 Year-2018 Thana- ARA NAGAR District- Bhojpur

VISHAL KUMAR SINHA, aged about 45 years, (Male), Son of Sri Uma Kant Prasad @ Uma Kant Prasad Sinha, Resident of New Colony, Jailhatta Sarvodya Nagar, Daltanganj, P.S- Daltanganj, District- Palamau ,Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satyam Shivam Sundaram, Advocate

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

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      21-02-2019                      Heard the learned counsel for the petitioner and  
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 22.07.2016 and remanded in connection with Ara Nagar P.S.Case No.05 of 2018 for the offence alleged under Sections 420, 120(B), 406, 408, 468 and 467 of the Indian Penal Code.

The prosecution case as lodged by the informant/complainant is that petitioner being the Director of DJN Commodities Group through its manager and agent has duped the complainant/informant of Rs.1,28,000/- on the pretext that the complainant/informant would earn more interest on the mature value of the deposits.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has falsely been implicated in the aforesaid case. He submits that there is no specific allegation against the petitioner and the money is not alleged to have been taken by the petitioner but by other persons who claimed to be the manager and agent. He further submits that the petitioner has already been enlarged on bail which related to Jharkhand State and Ara Nagar P.S.Case No.383 of 2018 and other cases pending against him. He further submits that the petitioner is languishing in judicial custody since more than two and half years and chargesheet has already been submitted but the trial has not yet commenced.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear clean antecedent and as many as ten cases are pending against him.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Ara Nagar P.S.Case No.05 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Ara, Bhojpur, subject to the following conditions:-



(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

**(Nilu Agrawal, J)**

B.Kr./-

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