

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21316 of 2019

Arising Out of PS. Case No.-433 Year-2017 Thana- DANAPUR District- Patna

Prem Chaudhary, Son of Late Laldeo Chaudhary, Resident of Village -
Purandarpur, P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Vijay Kumar Sinha, Advocate
For the S t a t e	:	Mr. Umesh Lal Verma, APP
For the Informant	:	Mr. Manish Kumar No.1, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 24-04-2019 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State as well as the

learned counsel for the informant.

The petitioner seeks to renew his prayer for bail in
connection with Danapur P.S. Case No.433 of 2017, which was
earlier rejected vide order dated 31.07.2018 passed in Cr.Misc.
No.39764 of 2018.

Learned counsel for the petitioner submits that in
view of the changed circumstances that other co-accused
persons have been granted bail, the petitioner may also be
granted the same benefit as he is nowhere named in the F.I.R.
and he has been languishing in jail since a long time. He further
submits that the investigation of the case is complete and there



is all likelihood that the petitioner may be acquitted and he is also willing to face trial and appear in the court as and when required.

Learned counsel for the informant has also appeared and has opposed the present application for grant of bail and has pointed out to several paragraphs of the case diary wherein the court below has specifically found that the petitioner was responsible for creating the website and for handing out orders of employment of the Civil Court, Patna and also other Organizations. He thus submits that the said fact having come to the fore during the investigation and having been noted in the order passed while rejecting the prayer of the petitioner on the earlier occasion, the petitioner does not deserve the same benefit. He further submits that the petitioner has been filing discharge petition so as to delay the progress of the trial and does not deserve the said benefit as it is on his count that the trial is not progressing. He, however, submits that the court may be directed to proceed expeditiously so that the matter may be reached to its logical conclusion.

Learned counsel for the State submits that on the earlier occasion, the prayer of the petitioner was being considered and this Court had gone through the case diary and it



was only after due consideration of all facts and circumstances that the prayer for bail was rejected. It is further submitted that the petitioner may not be granted the privilege of bail as the charge is quite serious as a fraudulent transaction was being conducted by using the District Court's website which was purportedly created by him.

Having considered the entire facts and circumstances and after due consideration of the facts of another case of similar nature in which the petitioner is also an accused, the prayer for bail of the petitioner was rejected, I am not inclined to grant bail to the petitioner. It is, accordingly, rejected once again. However, in the interest of justice, it is advisable that the trial court should proceed expeditiously in the matter so that the same is concluded positively by the 31st of December, 2019.

(Anjana Mishra, J)

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