

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68862 of 2019

Arising Out of PS. Case No.-407 Year-2018 Thana- DURGAWATI District- Kaimur (Bhabua)

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DHEERAJ KUMAR UPADHYAY @ DHIRAJ NARAYAN UPADHYAY S/o
Rakesh Upadhyay R/o village- Madhopur, P.S.- Chandauli, District-
Chandauli (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and the learned
APP for State.

The petitioner seeks bail in **Durgawati P. S. Case No. 407 of 2018** instituted for the offence under Section(s) 409,419,420,341,323,307,452,380 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner, having no criminal antecedents, is in custody since 31.07.2019.

It is submitted that the petitioner was also a victim to the fraudulent activities of the Company for which he has also lodged cases against the Directors much prior to his implication in the instant case. The earlier prosecution, at the instance of the petitioner, is Chandauli P.S. Case No. 184 of 2018 which



was lodged on 15.06.2018.

Learned APP for the State opposed the prayer for bail and submitted that Company has indulged in fraudulent activities.

Considering the rival submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Kaimur**, in connection with **Durgawati P. S. Case No. 407 of 2018** subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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