

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6411 of 2020

Arising Out of PS. Case No.-175 Year-2018 Thana- MATIHANI District- Begusarai

SANJIV KUMAR, S/o Damodar Paswan, R/o village- Singhpur Punarwas,
P.S.- Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 08-06-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 420, 467, 468, 469, 471, 120(B) of the I.P.C. and 66(C), 66(D) I.T. Act.

Informant who is Branch Manager, UCO Bank, Khorampur, has stated that huge amount has been deposited and withdrawn in account no. 15750110070840 for installing tower of JIO company which went viral on Whatsapp. On search, it was found that Rs.27,30,018/- has been deposited in the said account through Mobile Banking and NEFT and Rs.



27,29,910.57 was withdrawn on different dates through ATM and mobile Banking. The informant contacted one Deepak Kumar who accepted to have opened account and said that he gave his ATM Card to Sanjiv Kumar (petitioner) and account was also opened in the name of one Niraj Kumar and Rs. 11,87,723.84/- was withdrawn through ATM and deposited Rs. 11,87,816 through Mobile Banking in the account of Deepak Kumar and Niraj Kumar.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on suspicion. It has been further submitted that occurrence took place on 28.11.2018 but FIR was lodged on 08.12.2018 after delay of 10 days without any explanation. No specific allegation is made against the petitioner. The name of petitioner has surfaced on the confessional statement of co-accused. Similarly placed co-accused namely Deepak Kumar has been granted bail by co-ordinate bench of this court vide order dated 27.05.2019 passed in Cr. Misc. No. 34551 of 2019. Petitioner is in custody since 20.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two



sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Matihani P.S. Case No. 175 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/rajiv

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

