

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17525 of 2020**

Arising Out of PS. Case No.-613 Year-2019 Thana- FORBESGANJ District- Araria

SINTU @ SINTU KUMAR S/o Upendra Mandal R/o- Hingna Parmanandpur
Raniganj, Ward No. 2, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 04-11-2020 Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State in absence of Mr. Ramesh Chandra, learned APP.

The petitioner in the present case is seeking pre-arrest bail in connection with Farbisganj (Simraha) P.S. Case No.613/2019 registered for the offences punishable under Sections 467, 468, 406, 420 and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the Financial Services Company in respect of which the present case has been lodged was not running in the house and petitioner was also not present in the office of the of the said company at the time when the raid was conducted by police. Learned counsel submits that the name of the petitioner has been brought in this case saying that he was running the business in partnership with co-accused Ravi Shankar



Kumar but in course of investigation no material at all has been collected/found showing that this petitioner had any interest in the business of the financial company.

Mr. Akhileshwar Dayal, learned APP for the State has gone through the case diary, however, in course of his submissions, despite repeated query made by this Court as to whether the I.O. has verified the bank accounts which are mentioned in the seizure list, learned APP submits that no such verification seems to have been done and in the case diary except the statement of the co-accused no documentary material has been placed to substantiate the allegations against the petitioner.

Having regard to the facts and circumstances of the case and what has been taken note of from the submissions of learned APP for the State, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Farbisganj (Simraha) P.S. Case No.613/2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the learned court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

