

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25724 of 2020

Arising Out of PS. Case No.-342 Year-2018 Thana- PATRAKARNAGAR District- Patna

SUNIL KUMAR SINGH, S/o Janardan Singh Resident of Mohalla/Village-
Kanti Smirty Bhawan, Adarsh Colony (Gali No.1), New Brahampur,
Khemnichak, P.S.-Ramkrishna Nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-10-2020 Heard Mr. Ramakant Yadav, learned counsel for

the petitioner and Mr. Ram Priya Sharan Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Patrakar Nagar P. S. Case No.
342 of 2018 dated 01.07.2018, instituted for the
offences under Sections 379 and 420 of the Indian Penal
Code.

It has been submitted on behalf of the
petitioner that according to the allegation, the informant
was asked to invest money in a company which was



created under the name and style of M.L.M. The petitioner was required to pay to the informant an amount of Rs. 2,95,300/- which he had promised to return but did not fulfill his promise.

The learned counsel for the petitioner submits that the allegation is absolutely false. In fact, the petitioner and the informant are partners in the M.L.M. company. The petitioner as well as the informant are also business partners in another company by the name of Matrishakti Concept Marketing Private Limited. The petitioner also has association with the father of the informant.

It has been submitted that these facts have been withheld from the prosecution case. In fact, in the first company namely M.L.M., the informant is partner no. 1 and in the bank account of the firm, the petitioner is the first account holder and has also taken out money from the account.

The further contention of the learned counsel



for the petitioner is that according to the memorandum of partnership deed, business was started through cash of Rs. 5,00,000/- and an amount of Rs. 2,50,000/- was given by each of the partners.

The company is still running today and for reasons inexplicable to the petitioner, the present case has been filed on 01.07.2018.

Considering the nature of accusation and taking into account that the informant also is one of the partners of the firm and is also the first account holder of the firm, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, X, Patna in connection with Patrakar Nagar P. S. Case No. 342 of 2018, subject to



the conditions as laid down under Section 438 (2)
Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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