

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12502 of 2021**

Arising Out of PS. Case No.-6 Year-2019 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

=====

SHASHI BHUSHAN KUMAR @ RATNESH @ MINTU SINGH SON OF
SATISH PRASAD SINGH Resident of Karhari, P.S.- Bhagwanpur, District-
Vaishali

... .. Petitioner

Versus

The State of Bihar through the Economic Offence Unit, Patna Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Economic Office Unit : Mr. Vishwanath Prasad Singh, Sr. Advocate
Ms.Soni Srivastava, Advocate

=====

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

5 18-08-2021 Heard learned counsel for the petitioner and Mr.

Vishwanath Prasad Sinha, learned Senior Counsel assisted by Ms.

Soni Srivastava, learned standing counsel for the Economic Offence

Unit, Patna.

This is the second attempt of the petitioner to obtain
regular bail in connection with Economic Offences Unit P.S. Case
No. 6 of 2019 registered for the offences punishable under Section
419, 420, 211 and 120 (B) of the Indian Penal Code, 1860 and
Sections 66C and 66D of the Information Technology Act.

Earlier the prayer for bail of the petitioner was rejected
vide order dated 3.6.2020 passed in Cr. Misc. No. 84830 of 2019.

Learned counsel for the petitioner submits that while
rejecting the prayer for bail of the petitioner, this Court had granted
liberty to renew the prayer for bail if the trial is not concluded within

six months. The petitioner has remained in custody thereafter for more than one year. At this stage also the trial is not likely to conclude in near future.

Mr. Vishwanath Prasad Sinha, learned Senior Counsel representing the Economic Offence Unit submits that earlier the prayer for bail of the petitioner was rejected with the observation as mentioned by learned counsel for the petitioner and from that point of view the petitioner has remained in custody for over one year from the date of last rejection.

Considering the aforesaid observation, this Court called for a report from the learned trial court. The learned trial court has reported that in this case charge has been framed on 12th of February, 2021 and one witness has been examined so far before the lockdown but after that neither the counsels nor the witnesses have appeared. The expected time in conclusion of trial is six months after the resumption of normal functioning of the court. In these circumstances where in the present days the courts are running only through virtual mode and it is not known that how much time it will take in start of normal functioning, considering that the petitioner has remained in custody in connection with this case since 11.8.2019 i.e. over two years, this Court directs release of the petitioner on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Patna in

connection with Economic Offences Unit P.S. Case No. 6 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) That such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and 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 or tamper with the evidence.

And further condition that the 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

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'.