

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34150 of 2020

Arising Out of PS. Case No.-45 Year-2016 Thana- SIDHWALIYA District- Gopalganj

HARENDRA NATH SINGH Son of Late Sipahi Singh Resident of Village -
Supauli, P.S.- Sidhwalia, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Yogendra Prasad Sinha, Advocate
For the Opposite Party/s :	Mr. Sumit Kumar Jha, Advocate
	Mr. Ashish Giri, Advocate
For the State :	Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 30-01-2021 Heard Mr. Yogendra Prasad Sinha, learned counsel for the petitioner and Mr. Sumit Kumar Jha, assisting counsel to Mr. Ashish Giri, learned counsel for the informant and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sidhwalia P.S. Case No. 45/2016 registered for the offences punishable under Section 420, 409, 467 and 471 of the Indian Penal Code.

As per prosecution story, the informant who happens to be the Executive President of NSSM cum Authorized Representative of UGSIL. It is alleged that co-accused Bishnu Kumar Sureka being the Executive President and the petitioner was the Store Keeper of godown. The petitioner, under conspiracy, misappropriated to the tune of Rs. 22 Crores by



preparing forged documents.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, he was working as a Godown Incharge under the Chief Executive Officer, Mr. Bishnu Kumar Sureka. The allegation against him is that on the direction of Mr. Bishnu Kumar Sureka he has fabricated the documents. Petitioner has been falsely implicated in this case and he is in judicial custody since 14.07.2020.

Learned counsel for the informant as well as learned A.P.P. for the State have opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner has submitted that so far as this petitioner is concerned, he was working as a Godown Incharge under the Chief Executive Officer Mr. Bishnu Kumar Sureka, the allegation against him is that on the direction of Mr. Bishnu Kumar Sureka he has fabricated the documents, said Mr. Bishnu Kumar Sureka who was admittedly managing the company and the top official and ultimate incharge of the affairs of the unit has already been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 15997/2020, in course of argument, learned counsel for the informant has after



reading the allegations made in paragraph 'VI' of the complaint petition admits that according to the complainant/informant this petitioner was acting under the direction of said Mr. Bishnu Kumar Sureka and he was an employee under him, the petitioner has remained in jail over six months, investigation against him is complete and there is no other material pointed to this court against this petitioner, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Miss Shobhana Tripathi, learned Judicial Magistrate, 1st Class, Gopalganj, in connection with Sidhwalia P.S. Case No. 45 of 2016, subject to the condition 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 he is suspected, and

(c) that such 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 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

