

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5365 of 2022

Arising Out of PS. Case No.-586 Year-2020 Thana- SASARAM NAGAR District- Rohtas

Vijeta Gupta Alias Kumar Vijeta, aged about 39 years, Male Son of Ranglal Gupta @ Ram Lal Gupta, Resident of Village - Chanwar Takiya, P.S.- Sasaram (Town), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-05-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Sasaram (Town) P.S. Case No. 586 of 2020 registered for the offence punishable under Sections 419, 420, 379 of the Indian Penal Code.

One Prakash Chandra Akhouri is the informant of the case. The accused persons got knowledge that the informant had sold a flat and had Rs. 40 lakhs in his Bank account. The accused persons including this petitioner entered into a conspiracy for taking out the money from the account of the



informant and for that the ATM card, passbook etc. belonging to the informant was brought by this petitioner and handed over to Amit Kumar Gupta and others. Thereafter, the *modus operandi* of the accused persons was that they used to take out the money from the account of the petitioner and used to go to Varanasi for purchasing gold. The gold was purchased in installment after taking out money from the account of the informant. The details of the case have been confessed by Amit Kumar Gupta. Pursuant to the confessional statement Android mobile phone and some gold has been recovered from the house of Amit Kumar Gupta.

It has been submitted by learned counsel for the petitioner that he is named in the confessional statement of the co-accused Amit Kumar Gupta. He further submits that similarly situated accused persons who are involved in the crime has been granted regular bail and therefore he should be granted regular bail.

Learned APP Mr. Anand Mohan Prasad Mehta has vehemently opposed the prayer for bail of the petitioner and has submitted that this kind of crime is being committed in the bank in Patna and depositors are being cheated with the connivance of the bank officials and, therefore, the petitioner does not



deserve bail.

Considered the submissions of the parties, it is because that petitioner who had brought the ATM Card and passbook of the informant that entire occurrence has taken place and his entire money has been taken out by the criminals from his bank account.

Considering the above, I am not inclined to grant bail to the petitioner, this application for bail is dismissed.

The District Judge, Rohtas at Sasaram is directed to get the trial of the accused persons including this petitioner concluded expeditiously preferably within a year and for that the steps may be taken for commitment of the case and thereafter the case may be concluded as directed above.

Let a copy of this order be sent to the District Judge, Rohtas at Sasaram for compliance and necessary action. The District Judge, Rohtas at Sasaram will send a report about the conclusion of the trial to this Court after one year.

List this case thereafter.

(Sandeep Kumar, J)

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