

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26614 of 2021

Arising Out of PS. Case No.-386 Year-2016 Thana- ARA NAGAR District- Bhojpur

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PRASHANT KUMAR SINHA Son of Late Kamal Kant Karn Resident of
Village- New Colony, Jail Hatta, Sarvodaya Nagar, Daltanganj, P.S. -
Daltanganj, District - Palamu, Jharkhand.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 420, 406 and
408 of the Indian Penal Code.

As per the prosecution case, the accused persons
were running a company by the name of DJN Commodities and
collecting huge amounts from customers on promise of giving
them high interest rates on their deposits. It is stated that after
sometime they closed the company and fled away.

It is submitted by learned counsel for the petitioner
that the earlier application for bail of the petitioner was rejected



vide order dated 2.3.2020 (Annexure-1) passed in Cr. Misc. no.55285 of 2019 directing the learned trial court to conclude the trial within a period of six months. Inspite of one year ten months having been passed since the said order, not a single witness has been examined on behalf of the prosecution and charges has been framed against the petitioner only on 4.1.2022. The petitioner has remained in custody for over four years and undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 4 years, the Court directs the petitioner to be enlarged on bail in connection with Ara Nagar P.S. Case no.386 of 2016 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara.

It is further directed that in view of charges having been framed in the case, the petitioner shall remain physically present on each date of trial and in case of the petitioner's absence on two consecutive dates for reasons not to the satisfaction of the learned trial court, the learned trial court may



cancel the bail bond of the petitioner and take him into custody
till conclusion of the trial.

(Partha Sarthy, J)

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