

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39660 of 2021

Arising Out of PS. Case No.-483 Year-2018 Thana- BHABHUA District- Kaimur (Bhabua)

RAJESH KUMAR SINGH Son of Khadag Bahadur Singh R/o House no.- 7/3
Exclusive Bahar Sahara Estate Jankipuram, Lucknow, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rabindra Kumar Son of Janeshwar Singh R/o Ramabandh, P.S. and District -
Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Manoj, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Parmeshwar Mehta, the learned APP for the State.

The petitioner seeks regular bail in connection with Bhabua PS case no. 483 of 2018 instituted for the offences punishable under Sections 420, 406/34 of Indian Penal Code.

The petitioner is alleged to be the Director of a Company in the name and style of J.K.V. Land Developers and Infrastructure Limited. He is alleged to have allured the



informant to invest in the said Company, however has refused to return the maturity amount and in the process, has embezzled a huge sum of money.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 15.01.2021. The learned counsel for the petitioner, by referring to Annexure 2 to the present petition, has further submitted that the petitioner had resigned as a Director of the said Company long back in the year 2012. It is next submitted that a bare perusal of the complaint petition of the complainant/informant of the present case would show that the complainant/informant has given no details regarding his investment or regarding him having suffered any loss or detail regarding any amount being due from the company in question.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner had resigned as a Director of the said Company way back in the year



2012 and moreover, the complainant has not mentioned any details about the investments made by him as also about the loss caused to him, though I deem it fit and proper to admit the petitioner to the privilege of bail but subject to certain conditions.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Kaimur at Bhabua in connection with Bhabua PS case no. 483 of 2018.

It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10 am on every Monday, starting from the day he is released on bail, and in case of failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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