

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44368 of 2021

Arising Out of PS. Case No.-328 Year-2020 Thana- GANDHIMAIDAN District- Patna

Chandan Kumar Son of Umesh Prasad Resident of Village- Resident of
Village- Pachi, P.S.- Sheikhpura Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Prasad Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 31-03-2022 Heard both parties.

The petitioner seeks bail in Gandhi Maidan P.S. Case
No. 328 of 2020, registered for the offence punishable under
Section 420/34 of the Indian Penal Code.

As per the prosecution case, Informant was cheated of
Rs. 20,00,000/- (Twenty lakh) which was deposited by him in
the account of ITC for the purpose of getting C/F of Ashirwad
Atta.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. During course of
investigation, name of this petitioner has come in this case on
the basis of confessional statement of co-accused. It is further
submitted that not a single farthing of the defalcated amount has
either been transferred in the account of petitioner or withdrawn



by the petitioner. Petitioner claims clean antecedent and he is in custody since 11.04.2021. Investigation is complete.

However, counsel for the informant opposed the prayer for bail and submitted that this petitioner was kingpin and at his behest the entire money was illegally withdrawn and distributed amongst all the accused persons.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IX, Patna in connection with Gandhi Maidan P.S. Case No. 328 of 2020.

(Prabhat Kumar Singh, J)

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