

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36738 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- JALALPUR District- Saran

=====

Nitesh Kumar Singh S/O Tej Narayan Singh Resident of Pupri, P.S.-Kudhani
(Turki O.P.), Distt.-Muzaffapur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Dwij Raj, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-09-2022 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Jalalpur P.S. Case No. 117 of 2021 registered for the offence under Sections 379, 420 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 28.01.2022.

The allegation against the petitioner is to involve in



fraudulent withdrawal of Rs.29,63,600/- (Rupees Twenty Nine Lakh Sixty Three Thousand Six Hundred) from the bank account of the informant, who is a retired railway employee.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the F.I.R., where name of the petitioner surfaced on the basis of confessionals statement of co-accused persons, namely, Md. Jafar Iqbal and Mananjay Kumar Singh. It is submitted that petitioner is employee of Panjab National Bank and his implication in the present case is merely on the basis of suspicion, as he is found involved in Muzaffarpur Town P.S. Case No. 487 of 2021, which is of similar nature. It is further submitted that petitioner is not a beneficiary of the alleged transaction. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as, admittedly, alleged transaction is not taken place with petitioner coupled with the fact that chargesheet has already



been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jalalpur P.S. Case No. 117 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Chhapra, Saran/concerned Court, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be



Ramjanam Prasad Singh, who is the father-
in-law of the petitioner and deponent of the
present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

