

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31142 of 2023

Arising Out of PS. Case No.-2 Year-2021 Thana- GANDHIMAIDAN District- Patna

SHUBHAM KUMAR GUPTA @ SHUBHAM GUPTA Son of Late Sanjay Kumar Gupta @ Sanjay Kumar Resident of Mohalla - Shivrपुरi, Beur More, Chitkohra, P.S.- Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Economic Offence Unit, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Mr. Ram Sevak Choudhary, Advocate
For the EOU	:	Mrs. Soni Srivastava, Advocate
For the Bank	:	Mr. Dayanand Singh, Adocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 02-08-2023 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Gandhi Maidan P.S. Case no. 2 of 2021 registered under sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that the petitioner visited the exhibition road branch of the Kotak Mahindra Bank and made a request to transfer Rs. 11.73 crores (approx) from the account held by the Competent Authority under Land Acquisition-cum-District Land Acquisition Officer, Patna to the account of B S Enterprises held with ICICI Bank, Boring Road, Patna. On enquiry, it transpired



that no cheque was accompanying the said RTGS forms and the signature on the RTGS forms and other documents were all fake and forged.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 26.4.2022 passed in Cr. Misc. no. 29017 of 2021 giving liberty to the petitioner to renew his prayer for bail after framing of charge. The petitioner is in custody since 2.1.2021 and charge has been framed on 24.7.2023. The petitioner undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned counsel for the Economic Office Unit as also learned counsel appearing for the Bank. However, learned counsel for the Bank does not dispute the submission of learned counsel for the petitioner to the effect that charge has been framed on 24.7.2023.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the evidence mainly being documentary in nature which are already in possession of prosecution, the observation given to the petitioner in earlier order of rejection dated 26.4.2022 and charge having been framed in the learned trial Court on 24.7.2023, the Court directs the petitioner to be enlarged on bail in connection with Gandhi Maidan



P.S. Case no. 2 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 the learned Additional Chief Judicial Magistrate-I,
Patna.

(Partha Sarthy, J)

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