

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32042 of 2023

Arising Out of PS. Case No.-270 Year-2021 Thana- PIRPAINTI District- Bhagalpur

Pintu Kumar Yadav, Son of Shankar Yadav, Resident of Village- Ramjanipur,
P.S.- Shivanarayanpur, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shashi Priya Pathak, Advocate

Mr. Ambrish Kumar Jha, Advocate

For the Opposite Party : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-06-2023 Heard Mrs. Shashi Priya Pathak, learned counsel for
the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Pirpainty P.S. Case No.270 of 2021 registered for the offences punishable under Sections 408, 409, 381, 420, 120-B/34 of the Indian Penal Code.

The informant having come to know about the incidence of loot of Rs.35,51,000/- by unknown miscreants, got an enquiry conducted and later on he found that there was shortage of aforementioned amount, which was given colour of loot by his own employees of IFFCO in order to save their skin.

Learned counsel appearing on behalf of the petitioner submits that after enquiry, conducted by the authorities of IFFCO, co-accused Nitish Kumar and Kundan Kumar, who are the employee of IFFCO Bazar Ltd., confessed their



involvement in the embezzlement of Government money worth Rs. 40,00,000/- and so far the petitioner is concerned his name transpired on the confessional statement of one Kundan Kumar, during the course of investigation, and save and except the confessional statement there is no material. Further submission has been made that there is no recovery of any incriminating material from the person or possession of the petitioner showing complicity in the present crime. Furthermore, both the aforementioned co-accused, namely, Kundan Kumar and Nitish Kumar, have been allowed the privilege of bail by the learned coordinate Bench of this Court in Cr. Misc. No. 20523 of 2022 and Cr. Misc. No. 20217 of 2022 vide order dated 15.02.2023. Other co-accused persons have also been allowed bail by the different coordinate Benches of this Court. It is lastly submitted that the petitioner, having fair antecedent, is in custody since 09.01.2023.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that co-accused, namely, Kundan Kumar and Nitish Kumar, have already been allowed bail by the learned coordinate Bench of this Court and so far the petitioner is concerned, his name transpired on the



confessional statement and no recovery has been made, apart from the fact that the petitioner has got no criminal antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Pirpainty P.S. Case No.270 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain physically present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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