

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39580 of 2023

Arising Out of PS. Case No.-9 Year-2019 Thana- GANDHIMAIDAN District- Patna

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DHEERAJ KUMAR SINGH @ DHIRAJ KUMAR SINGH S/o- MURLI
MANOHAR SINGH Mohalla- Alkapuri Gardanibagh Ps- Gardanibagh Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

- 4 25-08-2023 1. Heard learned counsel for the parties.
2. The petitioner has renewed his prayer for bail in connection with Gandhi Maindan P.S. Case no.9 of 2019 registered under sections 406 and 420 of the Indian Penal Code.
3. As per prosecution case, the petitioner who happens to be the Account in the company of the complainant, is said to have defalcated a huge sum of Rs.80 lacs through cheques not issued by the complainant.
4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. The cause of false implication is other than what has been narrated in the FIR.

5. It is further submitted that the evidence is primarily documentary in nature and is already in custody of the prosecution. The petitioner has remained in custody from 15.8.2019 to 6.3.2020 and again from 31.5.2022 till the present date ie for a total period of more than 1 year 8 months.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation, investigation in the case having been completed and the petitioner having remained in custody for more than 1 year 8 months, the Court directs the petitioner to be enlarged on bail in connection with Gandhi Maindan P.S. Case no. 9 of 2019 (G.R. no.232 of 2019) 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 XIV, Patna subject to the following conditions:

1. That the petitioner shall cooperate in the trial in the learned trial Court and shall remain physically present in Court on each date of the trial.

2. In case, the learned trial Court is of the opinion that



the trial is being delayed due to noncooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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