

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48788 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- SAHPUR District- Patna

Shatrudhan Mishra Son Of Late Ram Jappu Mishra Resident Of 201, Power Enclave, West Patel Nagar, Police Station - Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar Mr.Arya Achint Mrs. Richa
For the Opposite Party/s :		Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Shahpur P.S. Case No. 385 of 2021 registered under Sections 406, 420, 467 and 468 of the Indian Penal Code.

As per the prosecution story, the petitioner along with other co-accused Devendra Singh and some other employees of Power Grid and their relatives formed a Power Grid Employees Welfare Housing Society. The informant was also one of the members of the society. It is further alleged that on the pretext of giving flats to the members of the aforesaid housing society, co-accused Alok Kumar took crores of funds from 105 members



of the society, but later on it was found that no construction work had even been started. When this informant went to get his money refunded to the office of Agrani Homes Pvt. Ltd., then it was found that office closed and the office was sold to Ruban Hospital. It is further alleged that so many transactions have been done by co-accused for purchase of valuable properties from these funds.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner was only appointed as a Secretary in the Power Grid Employee Welfare Housing Society and as such he was only responsible for bridging the gap between the employee/investors and Agrani Homes Pvt. Ltd. As per the FIR, the petitioner had no role to play in the offence, as alleged by the prosecution, inasmuch as, neither a single penny has ever been transferred to the account of this petitioner nor alleged amount has been diverted to his account from the account of co-accused namely, Alok Kumar. It is further submitted that this case is civil in nature. Moreover, similarly situated other co-accused persons are getting privilege of bail granted by Court below. The petitioner is languishing in judicial custody since 13.5.2022.

The application for bail is vehemently opposed by



learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Shahpur P.S. Case No. 385 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, Danapur, Patna.

(Sunil Kumar Panwar, J)

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