

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63063 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- GANDHIMAIDAN District- Patna

RAVI BHASKAR S/O GHANSHYAM SHARMA R/v- Raili, P.S.- N.T.P.C.,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bindyachal Singh, Advocate
	Mr. Vipin Kumar Singh, Advocate
	Mr. Janmjay Giridhar, Advocate
For the Opposite Party/s :	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 04-01-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Gandhi Maidan P.S. Case No. 448 of 2021 registered for the offence punishable under Section 394 of the Indian Penal Code.

Allegedly, petitioner misappropriated a sum of Rs. 57,49,000 which was entrusted to him by several customers of the petitioner's company and petitioner fabricated a false story about the alleged amount having been looted from his office by some unknown persons.

The main submissions advanced by the learned



counsel Mr. Bindyachal Singh appearing for the petitioner are that the petitioner earlier preferred Cr. Misc. No.10155 of 2022 for the relief of regular bail which was rejected by this Bench with giving a liberty to the petitioner to renew his bail prayer after the completion of investigation in respect of co-accused persons and now the petitioner has again come before this Court for the same relief mainly on this ground that though the police has kept the investigation pending but after the submission of charge-sheet in respect of the petitioner and co-accused Dhiraj Kumar on 06th November, 2021 and 01st April, 2022 respectively, no investigation has been made against the other co-accused persons as appears from the prosecution's own submission and the said co-accused persons against whom the investigation has been kept pending are not identified which shows that the investigation may be kept pending for indefinite period by the police due to which the petitioner may suffer a lot. Further submission is that against the petitioner the investigation has been completed and most part of the looted or misappropriated money has been recovered and he is facing trial and has fair and clean antecedent.

Though learned APP appearing for the State has opposed the bail prayer but accepted that the investigation is not



pending in respect of any identified co-accused persons and the same has been kept pending against the co-accused persons who are not identified till now and also accepted that no progress has been made in the investigation after 01st April, 2022 as per the case diary.

Considering the above submissions and mainly taking into account the custody period of the petitioner and his clean antecedent and also the fact that as per the above submission, the police have not taken any step to complete the investigation in respect of co-accused persons who are not identified till now moreover as per the above submission most part of the misappropriated money has been recovered, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Gandhi Maidan P.S. Case No. 448 of 2021.

(Shailendra Singh, J.)

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