

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72379 of 2022

Arising Out of PS. Case No.-880 Year-2022 Thana- KANKARBAG District- Patna

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DEEPAK KUMAR SINGH S/O Late Janardan Singh R/O Village- Budhaul,
P.S- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

11 01-11-2023

1. Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Kankarbagh P.S. Case no.880 of 2022 registered under sections 420 and 379 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his parents are old aged persons having retired from the Bihar Administrative Service and have been living at the address given in the F.I.R. in Patna. The petitioner who was the tenant of his father took the father of the informant into confidence and through various means as described in the F.I.R. withdrew large sums of money through cheques, ATM cards etc.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Although it is not denied that he was the tenant of the father of the informant however the informant has not even proved that his father had such a balance, as alleged, in his account. No money trail has been proved by the informant and against the allegation of theft of Rs.35 lacs, learned counsel for the petitioner referring to the rejoinder filed on behalf of the petitioner submits that the total deposit in the account of the petitioner is only to the tune of Rs.8 lacs and odd. The petitioner is in custody since 22.10.2022 and chargesheet has been submitted in the case. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against this petitioner in the F.I.R., the contents of the statement of account of the petitioner as reproduced by the petitioner in his rejoinder to the counter affidavit, his not having described the source of the large cash deposits and in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



7. Liberty is granted to the petitioner to renew his
prayer for bail after framing of charge.

(Partha Sarthy, J)

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