

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.9640 of 2024

Arising Out of PS. Case No.-111 Year-2016 Thana- KHANPURA District- Samastipur

KAILASH PASWAN Son of Late Bharat Paswan Resident of Village-Haripur, P.S.-Rosera, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Om

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 28-06-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Khanpura Police Station Case no. 111 of 2016 registered under section 406 and 420 of the Indian Penal Code.
3. As per the First Information Report, informant has a mobile shop where the petitioner used to come for purchase of mobile. Accordingly, the petitioner established cordial relations with the informant. The petitioner told the informant that he is engaged in the business of share market also and suggested the informant



to invest money in share market. On the advice of the petitioner, the informant invested a sum of Rs. 8,000/- which was returned along with 10% interest after a week. Thereafter, informant and other persons invested huge amount of Rs. 25 lacs in the share market which has been misappropriated by the petitioner and upon complaint, the petitioner threatened the informant and others to implicate them in SC/ST case.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and he has not committed any offence in the manner alleged. The petitioner denies that he persuaded the informant and others to invest in share market. The agreement entered between the petitioner and the informant has also been denied. The petitioner is in custody since 08.11.2023. This Court vide its order dated 26.04.2024 had called for a report and in pursuance thereof, report has been submitted by Chief Judicial Magistrate, Samastipur, informing that the charges have been framed against the petitioner on 30.04.2024 and the case has been fixed for examination of prosecution witnesses.



5. Having heard learned counsel for the parties and taking into consideration the nature of allegation and the fact that the case is triable by Magistrate and the petitioner is in custody since 08.11.2023, I am inclined to grant regular bail to the petitioner.
6. Let the petitioner, named above, 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 learned Chief Judicial Magistrate, Samastipur, in connection to the Khanpura Police Station Case no. 111 of 2016 registered under Sections 406 and 420 of the Indian Penal Code.
7. This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

