

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12361 of 2024

Arising Out of PS. Case No.-556 Year-2019 Thana- PATNA COMPLAINT CASE District- Patna

Dheeraj Kumar Singh, aged about 45 years, male, S/O Late Murli Manohar Singh R/O Shivam Hospital Ke Pas, Road No. 10, P.S- Gardanibagh, Distt.- Patna, Bihar, Present Address- Village- Naraw, P.S- Awtar Nagar, Distt.- Saran (Chapra).

... .. Petitioner/s

Versus

- 1. The State Of Bihar
- 2. Poonam Singh, aged about 51 years, female, W/O Dinesh Kumar R/O Lane No. 9, Ranjan Path, Gola Road, P.S- Danapur, Distt.- Patna.

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 27-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Complaint Case No. 556 (C) of 2019 registered for the offence under Sections 406, 420 and 120(B) of the Indian Penal Code and Section 138 N.I. Act.

3. As per the prosecution case, it is a case of misappropriation of money of MODEM AD AGENCY PVT. LTD. for working as an accountant and thereafter dishonor of cheque for such misappropriation of money.

4. Learned counsel appearing on behalf of the peti-



tioner submits that petitioner has falsely been implicated in this case. He further submits that in the complaint petition, if any amount of the company has been misappropriated by the petitioner, then it would have come to Rs.36,00,000/-, as per investigation the complainant has already received Rs.30,000,00/- from the petitioner and his wife. Petitioner is in custody since 14.07.2022.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the complaint petition and the impugned order dated 5.11.2023, it appears that the complaint petition filed by the complainant against petitioner and his wife under Section 408, 420 and 120(B) of the IPC and Section 138 of the NI Act. Accordingly, after enquiry, the learned Magistrate has taken cognizance and issued the process under Section 408 and 138 of the N.I. Act. Petitioner is in custody since 14.07.2022 meaning thereby the 19 months during argument, it appears that Rs.36 lacs has already paid by the Opposite Party No.2 Poonam Singh to present petitioner and the case proceeded on behalf of the complaint petition, in these circumstances, I am inclined to grant bail to the petitioner. Accordingly, let the petitioner, above named, be directed to be released on bail in con-



nection with Complaint Case No. 556 (C) of 2019 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Ms. Kumari Prinki Priyanka, Judicial Magistrate, Ist Class, Patna/concerned Court with condition the petitioner shall remain present on each and every date before the trial Court and shall cooperate the proceeding of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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