

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25967 of 2024

Arising Out of PS. Case No.-336 Year-2017 Thana- FATUA District- Patna

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AMIT KUMAR SINGH @ AMIT KUMAR SON OF NARENDRA SINGH
RESIDENT OF VILLAGE - NAGWAN, P.S. - GURUA, DISTRICT - GAYA
(BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv. Mr.Tribhuwan Narayan, Adv.
For the State	:	Mr.Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-08-2024 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The present petition is by way of second attempt at the
behest of the petitioner for grant of regular bail in connection
with Fatuha P.S.Case No. 336 of 2017, registered for the
offences punishable under Sections 406, 420, 467, 468, 471 and
120(B) of the Indian Penal Code, inasmuch as the earlier
petition, filed by the petitioner, for grant of bail was permitted to
be withdrawn, by an order dated 3.1.2023, passed by this Court
in Criminal Miscellaneous No. 17625 of 2022, with liberty to
the petitioner to renew his prayer for bail immediately upon
completion of one year period, which has now stood completed.

3. The petitioner is stated to be the Divisional Head of



Utkarsh Small Finance Bank Limited, which used to distribute loan to females of weaker section and on 9.8.2017, he had resigned from his job, whereupon discrepancies in distribution of loan was discovered and it is alleged that the petitioner had engaged in embezzlement of a sum of Rs. 45.67 lacs approximately. The petitioner is also alleged to have burnt the documents to erase the evidence.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he has a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is languishing in custody since 15.2.2022 i.e. since about two and a half years and there is no progress whatsoever in the ongoing trial, despite the charges having been framed long back. It is also submitted that the petitioner is ready to abide by such conditions as may be deemed fit and proper to be imposed upon him for the purposes of grant of regular bail.

5. Per contra, the learned APP for the State has opposed the prayer of the petitioner for grant of bail and has submitted that there are ample materials in the case diary to prima facie prove the guilt of the petitioner, however, has not denied the fact that the petitioner has been in custody since about two and a half



years.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the police has filed the charge-sheet, the investigation is over and it is nowhere the contention of the investigation agency that any further custodial interrogation of the petitioner is required, this Court is of the view that it would not be in the interest of justice to keep the petitioner behind bars any further, considering the fact that he has remained in custody for about two and a half years and there has been scant progress in the ongoing trial, thus, I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to certain conditions.

7. Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Patna City, Patna, in connection with Fatuha P.S. Case No. 336 of 2017.

8. It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police



station on each Monday of the week at 10:00 am and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically. It is needless to state that the petitioner shall also appear on each and every date so fixed by the Ld. Trial Court in the ongoing Trial and in the event of any default, the present privilege of bail being extended to the petitioner shall stand cancelled & he shall be taken in custody forthwith.

(Mohit Kumar Shah, J)

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