

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59958 of 2024

Arising Out of PS. Case No.-679 Year-2023 Thana- BAGHA District- West Champaran

Satyadev Yadav, Son of Late Sheo Prasad Yadav, resident of Village- Teliya
Tola, Ward No. 26, P.S.- Bagaha, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-08-2024 Heard Mr. Arvind Kumar, learned Advocate for the
petitioner and learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bagaha P.S. Case No.679 of 2023 registered
for the offences punishable under Sections 406, 420, 467, 468,
471/34 of the Indian Penal Code.

3. Based upon a complaint case, the F.I.R. has been
instituted alleging therein that the petitioner along with others
were indulged in running a private Finance Company and the
petitioner was the Director therein. The informant and witnesses
were acquainted to each other from before and they were called
by the accused persons and got convinced by them to deposit
money in the Bank; whereupon they will be provided the money
with interest on maturity. On being convinced with the proposal,
the informant along with other witnesses deposited the money



after opening the accounts in the said Bank, as per their capacity, through the agents of the Bank total amounting to Rs.22 lakhs, but despite its maturity, the amount along with agreed interest has not been given. In this way, the petitioner along with other accused persons committed a fraud and duped off the entire money.

4. Learned Advocate for the petitioner contended that in identical fashion, earlier one another case, bearing Complaint case No. 92 of 2022, was brought by one of the agent, however, in order to put pressure upon the petitioner and others, similar case has been instituted by one of the beneficiary. In the earlier instituted case, bearing Complaint Case No. 92 of 2022, the petitioner has been accorded the privilege of anticipatory bail by the learned co-ordinate Bench of this Court in Cr. Misc. No. 58259 of 2022 vide order dated 03.07.2023. It is also the contention of the petitioner that the petitioner and other accused persons, being the Directors of the Bank, in question, were indulged in running the Bank and the agents were managing all the activities of the Bank. However, on account of Covid-19 pandemic, the business of the Bank completely halted, due to which some delay has occurred in returning the matured amount to the beneficiaries. It is contended that the petitioner undertakes



that he would take all his efforts to ensure the payment of all the matured amount to the bonafide beneficiaries by selling the immovable properties. It is next contended that keeping the petitioner behind the bar would serve no purpose. Moreover, the crime, in question, as alleged in the F.I.R. is triable by a Magistrate and now the petitioner has been incarcerated since 11.04.2024. After completion of the investigation, charge-sheet has been submitted. It is lastly contended that one of the co-accused, namely, Ravi Prakash, who is said to be the one of the Directors of the Bank has been accorded the privilege of anticipatory bail by the learned co-ordinate Bench of this Court in Cr. Misc. No. 51898 of 2024 vide order dated 21.08.2024, the copy of which has been placed before this Court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is found involve in misappropriating a huge amount of public money.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that one of the co-accused, having identical allegation, has been allowed the privilege of anticipatory bail and moreover the entire case is based upon the documentary evidence, the investigation of the



crime is complete and the custody of the petitioner is not required for further investigation, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Bagaha P.S. Case No.679 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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