

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68801 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- DUMRA District- Sitamarhi

RAMESH CHAND JAIN @ RAMESH CHANDRA JAIN Son of Sri Shankar Lal Jain Resident of 1535, New Shanti Nagar, Shankar Nagar, P.S. - Khamhardih, Distt. - Raipur (Chhattisgarh), Partner M/s Sweta Entreprises, Raipur, Chhattisgarh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Adv. Mr. Amit Anand, Adv. Ms. Deeksha Singh, Adv. Mr. Ankur Govind, Adv. Mr. Deep Shekhar, Adv.
For the Opposite Party/s :		Mr.Arun Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 471 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have embezzled the government money i.e. Rs. 69,56,284/-.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that petitioner and his firm M/s Sweta Enterprises, Raipur, Chhattisgarh have no complicity directly or indirectly in the crime in question. The real fact is that the petitioner and his firm have been duped by one Sanjay Kumar Verma who is the main accused. It is further submitted that Rs. 39,52,430/- had been deposited in the SBI Bank account of M/s Sweta Enterprises, Raipur, Chhattisgarh and the remaining amount i.e. Rs. 30,03,854 had been deposited in the account of M/s Sweta Enterprises (Sri Sanjay Kumar Verma) at Bandhan Bank, Boring Road, Patna. He further submits that it is evident from the FIR itself that the alleged amount i.e 39,52,430/- which was credited in the S.B.I. account of the firm of petitioner has already been refunded back to the Horticulture Department. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the alleged amount i.e 39,52,430/- which was credited in the S.B.I. account of the firm of petitioner was refunded back to the Horticulture Department, let the above named petitioner, be released on bail, in the event of his arrest or surrender before



the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dumra P.S. Case No. 152 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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