

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9091 of 2024

Arising Out of PS. Case No.-319 Year-2018 Thana- PATLIPUTRA District- Patna

Lalditsak @ Laldistak @ Laltisak s/o Thangsangvung r/o Kangreng, Parbung,
Distt- Churachandpur (Manipur)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Economic Offence Unit, Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar Choudhary, Advocates
For the EOU	:	Ms. Soni Shrivastava, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-03-2024 Heard Mr. Saroj Kumar Choudhary, learned counsel
for the petitioner, Ms. Soni Shrivastava, learned counsel
appearing on behalf of Economic Offence Unit and Mr. Yogendra
Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
03.10.2018, in connection with Patliputra P.S. Case No. 319 of
2018, F.I.R. dated 27.07.2018 registered for the offences
punishable under Sections 379, 420 of the Indian Penal Code and
Section 66 (C) of the I.T. Act.

3. Earlier the bail petition of the petitioner was
rejected vide order dated 15.06.2020 in Cr. Misc. No. 78240 of
2019 and thereafter the petitioner again moved before this Court
in Cr. Misc. No. 7245 of 2021 which was rejected vide order dated



03.02.2021 and thereafter the petitioner again moved before this Court in Cr. Misc. No. 50805 of 2021 which was dismissed as withdrawn with liberty to move before the learned Court below.

4. Vide order dated 02.02.2024, a report was called for with regard to the stage of the trial. Report dated 07.02.2024 of the learned Trial Court reveals that no witnesses have been examined as yet in the present case although the charge has been framed against the petitioner on 09.12.2019 itself.

5. Learned counsel for the petitioner referring the aforesaid report and submits that in view of the report of the learned Trial court, there is no chance of early conclusion of the trial and the petitioner having clean antecedent as well as the petitioner is in custody since 03.10.2018 more than five years.

6. Learned counsel for the State as well as learned counsel appearing on behalf of the Economic Offence Unit, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. it appears that there is specific and direct allegation that he has committed fraud with the informant.

7. Considering the aforesaid facts that there is no progress in the trial and the petitioner is in custody since 03.10.2018 for more than five years, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned S.D.J.M., Patna in connection with Patiliputra P.S. Case No. 319 of 2018, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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