

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7787 of 2025

Arising Out of PS. Case No.-344 Year-2024 Thana- ARA NAWADA District- Bhojpur

Subhamoy Banerjee @ Subhamay Banarjee @ Budhamoy Banarjee Son of Dilip Banerjee Resident of Bhavika Commercial Private Limited, Office- 299 A.J.C. Bose Road Fincent Tower, 4th Floor, Kolkata, West Bengal- 700020, Present residing at 166A, Rai Bahadur Road Near Adya Mandir, P.S.- Behala, Dist -Kolkata, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Shekhar, Adv.
For the State	:	None
For the Informant	:	Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned for the informant.

2. Nobody appears on behalf of the State.

3. The petitioner seeks bail in connection with Ara Nawada P.S. Case No. 344 of 2024 dated 15.05.2024 registered for the offence punishable under Sections 406, 120B and 506 of the Indian Penal Code.

4. The prosecution case, in short, is that the petitioner had approached the informant in June 2022 representing himself as authorized Officer of M/s Bhavika Commercial Private Ltd., a company registered in Kolkatta. He was accompanied with one Hari Shankar, so called Sale Representative of M/s Bhavika



Commercial Private Ltd.. The petitioner and his companion convinced the husband of the informant for entering into an agreement regarding purchase of T.M.T. RE Bar/CNF. Consequently, the husband of the informant trusting the petitioner had transferred a sum of Rs.10,00000/-in the account of M/s Bhavika Commercial Private Ltd. through RTGS. It is alleged that the petitioner thereafter, refused to execute the contract or to get it executed through any other authorized Officer of the said company.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. At the very outset he submits that the petitioner is ready to return the amount of Rs. 10 lakhs to the informant within six months from the date of his release from the custody in the present case. It is submitted that the petitioner is in custody in other cases also apart from four cases i.e. Ranchi Lower Bazar P.S. Case No. 93 of 2023, Hazaribagh P.S. Case 171 of 2024, Sitamarhi P.S. Case No. 290 of 2024 and Agra Hari Parbat P.S. Case No. 368 of 2023. It is submitted that that when the petitioner will be released from jail in all the aforesaid cases, he would pay the said amount to the informant within six months from the date of his release from the custody in the present case.



Lastly, it has been submitted that the petitioner is in custody since 25.07.2024, having thirteen criminal cases against him and charge-sheet has been submitted in this case.

6. Learned counsel for the informant opposes the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on **provisional bail** upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur, Ara in connection with Ara Nawada P.S. Case No. 344 of 2024 after his release from the custody in all the four cases as discussed above, in which petitioner is in remand.

8. The petitioner would make payment of amount Rs. 10 lakhs to the informant within six months from the date of his release in the present case, failing which the provisional bail of the petitioner shall be cancelled.

9. After the payment Rs. 10 lakhs to the informant, the petitioner shall produce the receipt of the said payment in the Court below and the court below upon due verification shall confirm the provisional bail.

10. The petitioner upon getting bail in all the four



cases, as discussed above, shall file an affidavit in the court below that he has been granted bail in all the aforesaid four cases and thereafter shall furnish his bail bond.

(Khatim Reza, J)

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