

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6608 of 2015

Arising Out of PS.Case No. -1 Year- 2009 Thana -BARAUNI District- BEGUSARAI

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1. Upendra Chaudhary son of Late Muneshwar Chaudhary Resident of Village - Sarfraj Bigha (Kespa Tola), P.S. - Alipur, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Manish Kumar 2 (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-04-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in Barauni (Chakai) P.S. Case No. 1 of 2009 registered for the offences punishable under Sections 406, 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that he is innocent and has committed no offence. However, in paragraph -2 of the case diary, it appears that petitioner, as Security Guard, was on duty at the date and time of occurrence. It is evident that a huge quantity of cooling tower fans to the tune of Rs. 30,00000/- have been stolen. The said theft could not have been occasioned without collusion of the Security Guard present there.

In view of such facts and circumstances, I am not

inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is rejected.

However, if the petitioner surrenders in the court below and seeks regular bail within a period of four weeks, the court below shall consider the regular bail of the petitioner without being prejudiced by the present order.

(Anjana Mishra, J)

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