

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39400 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -JAGDIHSPUR District- BHOJPUR

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Kanhaiya Lal Sharma @ Kanhaiya Thakur, son of Late Rameshwar Prasad Sharma alias Bhulan Thakur, resident of village+P.O.- Bimwa, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar

For the Opposite Party : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard the counsel for the petitioner and counsel for the State.

The petitioner is apprehending his arrest in a case instituted under Sections 406, 409, 323 and 120(B) of the Indian Penal Code.

It is alleged by the informant that the petitioner and other accused persons used to accept deposits from public but when the informant and others went to withdraw their money, the accused persons refused to pay their money saying that no money was deposited with them.

It has been submitted on behalf of the petitioner that petitioner has got no criminal antecedent. Petitioner has been made due to mistake of fact. It is further submitted that the

petitioner is ready to deposit an amount of Rs.10,000/- in the court below which shall be subject to final disposal of the case. The other co-accused has been granted anticipatory bail by this Court in Cr.Misc.No.36907 of 2015.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, it is directed that the petitioner shall deposit an amount of Rs.10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Navin Kumar Srivastava, Judicial Magistrate, Ist Class, Bhojpur, Ara in connection with Jagdishpur P.S.Case No.74 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

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