

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23322 of 2015

Arising Out of PS.Case No. -163 Year- 2013 Thana -MAHESHKHUNT District- KHAGARIA

1. Sudeesh Sharma S/o Domi Sharma Resident of Village Kharowa, P.S. Pasraha, District Khagaria.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sada Nand Ray

For the Opposite Party : Mr. Prem Kumar Jha (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-06-2015

Heard learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379, 406 of the Indian Penal Code.

The prosecution case is that the informant went with the petitioner to the clinic of the doctor by motorcycle and at the clinic the informant handed over the key of the motorcycle to the petitioner to watch the same. On return Rs. 51,600/- found missing kept in the dickey of motorcycle.

It is submitted by learned counsel for the petitioner that even assuming the accusation no case under Section 406 of the I.P.C is made out as the money was never entrusted to the petitioner and for the occurrence of 25.10.2013 the First Information Report was registered on 06.11.2013.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Maheshkhut P.S. Case No. 163 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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