

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51473 of 2014

Arising Out of PS.Case No. -156 Year- 2014 Thana -BRAHMPURA District- MUZAFFARPUR

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1. Sanjay Kumar Das @ Sanjay Kumar S/o Mahendra Das Resident of
Village Sakram, P.S. Pupari, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani

For the Opposite Party/s : Mr. Shardanand Jha(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 04-03-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 420 and 379 of the I.P.C

Allegedly the informant went at the ATM of United
Bank of India when three boys came behind him inside the A.T.M.
and one of them told that there is no money in the A.T.M.
resulting the informant after pushing cancel button come out but
after some time message of withdrawal of Rs. 10,000/- came in the
mobile phone and then again he went to the A.T.M. and used the
A.T.M. then he came to know that from his account Rs. 10,000/-
has already been withdrawn by those boys. On 21.07.2014 in the
morning when he saw the photographs of one of the three boys in

paper he identified him and he was the petitioner.

Submission is that for the occurrence of 18.07.2014 FIR has been lodged on 21.07.2014 and besides one case in which the petitioner is on bail there is no other case against the petitioner. The informant without any basis implicated the petitioner only on suspicion and as such the petitioner who is suffering in custody since 08.08.2014 deserves sympathetic consideration.

In the facts and circumstances as stated above, considering detention of the petitioner at this stage now he is directed to 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 C.J.M. Muzaffarpur in Brahmapura P.S. Case No. 156 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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