

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50010 of 2015

Arising Out of PS.Case No. -271 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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Abhay Kumar Son of Nand Kishore Pd. Gupta @ Nand Kishore Gupta,
Resident of Village - Bishunpur Pandey, P.S. - Minapur, District -
Muzaffarpur.

..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Saraiya P.S. Case No. 271/2015 registered for
offences under sections 419, 420, 467, 468, 471 and 414/34 of the
Indian Penal Code.

The Police on information, arrived near Axis Bank
and found few persons assembled with an intention to change the
ATM card and take out the money from the ATM. The Police on
chase, arrested the petitioner and from his possession, two ATM
cards, a mobile and motor cycle was recovered.

It has been submitted that there is no allegation that
the petitioner has taken out the money, but only allegation has

been made against him for preparing such crime.

The petitioner has a criminal history of similar nature as has been stated in paragraph 3 of this petition. The petitioner is in jail since 5/8/2015.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Muzaffarpur West) in connection with Saraiya P.S. Case No. 271/2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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