

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41599 of 2015

Arising Out of PS.Case No. -387 Year- 2014 Thana -PIRBAHOR District- PATNA

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1. Gaurav Mukherjee @ Gaurav Kumar @ Gautam Mukherjee, aged about 25 years, S/o Shri Kamal Kumar Mukherjee, Resident of Village- Shivajee Path, Yarpur Rajputana Gardanibagh, P.S.- Gardanibagh, town & District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pratyush Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-09-2015 Heard the learned counsel for the petitioner, the learned senior counsel for the informant and the learned Additional Public Prosecutor.

The petitioner seeks bail in a case under Section 408, 420/34 of the Indian Penal Code.

The petitioner is an employee of the firm of the informant. The petitioner is alleged to have taken goods worth Rs. 2, 43, 997/- for selling the same to different shops at Hajipur and Khagaul but the petitioner after selling the entire articles did not return the money.

It is submitted that wages of the petitioner was lying due and the same was not paid by the informant. The FIR was

lodged after three months of the occurrence. The petitioner is in jail since 11.07.2015.

Mr. Ramakant Sharma, the learned senior counsel for the informant, on the other hand, submits that the informant is not interested in keeping the petitioner in custody but invoice of the company shows that the petitioner took the goods for selling but he did not return the sale proceeds.

Considering the nature of allegation made against the petitioner and the fact that the petitioner is in jail for two months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/ Judicial Magistrate, 1st class, Patna in Pirbahore P.S. Case No. 387/ 2014.

(Prabhat Kumar Jha, J)

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