

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9382 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

1. Pushpendra Kumar son of Bhagya Narayan Singh Resident of village- Chand Parsa, P.S.- Kesariya, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Rajesh, Advocate
Mr. Sunil Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-04-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in Minapur P.S.Case No. 244 of 2015 registered for the offence punishable under sections 406 and 420 of the I.P.C

Allegedly, the informant was cheated Rs. 49,000/- by two unknown miscreants when he had gone to State Bank of India, Minapur branch to deposit the same and the informant was handed over bundle of fake notes, which were bundle of papers.

During investigation, the petitioner and other accused were again trying to cheat a woman and then the petitioner was apprehended and from his possession bundle of fake notes was recovered.

Submission is of false implication and that the

petitioner has not been put on T.I.P. Further from footage of CCTV camera the petitioner has not been identified and the statement of that woman has also not been recorded and without any legal and tangible material, the petitioner is suffering in custody since 05.12.2015 to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner 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 connection with Minapur P.S.Case No. 244 of 2015, 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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