

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12014 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -BUXAR INDUSTRIAL District- BUXAR

- =====
1. Dharmendra Singh, son of Hari Bhajan Singh.
 2. Dineshwar Kumar @ Dinesh Kumar Singh, son of Rang Jee Yadav, Both are resident of Village- Bhatauli, P.S.- Navanagar, District- Buxar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-05-2016 Heard the learned counsel for the petitioner and the learned A.P.P representing the State.

The petitioner seeks bail in connection with Buxar (Industrial) P.S. Case No. 117 of 2015 registered for the offences punishable under Sections 406, 420, 120 (B) and 34 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused cheated six boys at the rate of Rs. 2 lakhs each i.e. total 12 lakhs and further took Rs. 3,31,000/- in bank account and further petitioner no. 1 took Rs. 10,69,000/- for providing job in military service, but neither the job was provided nor the amount was returned.

Submission is of false implication and that no offence as alleged is made out. The informant and others for illegal purpose gave bribe and giving bribe is also an offence. Without any fault, the petitioners are suffering in custody since 03.02.2016. There is no chit of paper to show that the petitioners have taken any amount from anyone and as such, the petitioners deserve sympathetic consideration.

The Learned A.P.P duly assisted by learned counsel for the informant seriously opposes the prayer of bail by submitting that the petitioners have formed a gang and they used to cheat innocent persons for providing them job and further in the bank account of the petitioners, amounts were transferred, which is evident from para 22 of the case diary.

In the facts and circumstances stated above considering that account was given for illegal purpose, charge sheet has already been submitted and there is no chance of tampering with prosecution evidence and as such, petitioners are directed to be released on bail on execution of 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, (Buxar) in connection with Buxar (Industrial) P.S. Case No. 117 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

Mishra/-

U		T	
---	--	---	--