

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26646 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

1. Nirbhay Kumar son of Kanhaiya Prasad Sharma resident of village
Lalapur, p.s. Kudra, district Kaimur (Bhabua) Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Arbind Kumar, Adv.

For the Opposite Party : Mr. Arun Kumar Singh -5, APP 153

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of regular bail for offence under Sections 406, 409, 420 and 120B/34 of the Indian Penal Code.

The prosecution story, in brief, is that the informant is the In-Charge of a private security company, named as Writers Safeguard Private Limited Company, which provides private security and security guards. It is alleged that on 19.04.2016 the petitioner along with some persons was given rupees twenty lakh to refill in the Automated Teller Machine (ATM) at Kargahar, but, under the conspiracy they took out the money from the cash van, but, the gunman did not restore to any firing to protect the money.

Learned counsel for the petitioner submits that the petitioner is in custody since 22.04.2016. Charge sheet has been submitted in the case. There is no criminal antecedent against the petitioner and there is no allegation of tampering of the witness alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The amount in cash has already been recovered. It has been submitted that the other co-accused

has been granted bail vide Cr. Misc. No. 28453 of 2016.

On behalf of the State it has been submitted that the petitioner is named in the First Information Report.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kargahar P.S. Case No. 91 of 2016 to the satisfaction of the Additional Chief Judicial Magistrate, Rohtas at Sasaram.

(Sudhir Singh, J)

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