

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53030 of 2016

Arising Out of PS.Case No. -221 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Krishan Kumar Kanhaiya Son of Upendra Chaudhary, Resident of
Village- Kusaiya, P.S.- Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
01.10.2016 in connection with Bibhutipur P. S. Case No. 221 of
2016 registered for the offence punishable under Sections 467,
468, 471, 406, 420/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner, who claimed himself to be the District Co-
ordinator of small and Medium Scale Industries, along with
other co-accused had misappropriated huge amount from various
persons on the pretext of filling up form by charging Rs,. 1000/-
per person on the ground of obtaining loan for them but the said
money has not yet been returned neither loan was obtained.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case and has no criminal history. It has further been submitted that the petitioner has own cosmetic shop in the market and he has no concern with the co-accused, who worked as agents or employee of the said institution. It has further been submitted that one of the co-accused has since been granted the privilege of bail by this Court in Cr. Misc. No. 49571 of 2016 dated 15.12.2016 on similar allegations.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and submission of the parties, since the petitioner has no criminal history and other accused has since been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- IV, Samastipur in connection with Bibhutipur P.S.Case No. 221 of 2016 subject to the condition that the petitioner will appear before the Court below during course of trial as and when required.

(Nilu Agrawal, J)

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