

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25718 of 2016

Arising Out of PS.Case No. -157 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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Hirday Sharma @ Hirdaya Sharma, Son of Late Baliram Sharma, Resident
of Mohalla- Hanuman Nagar, Ahri, Ward No.20, P.S.-Town, District-
Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate

: Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL ORDER

2 05-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
Section 409 of the Indian Penal Code.

A Thela loaded with books was intercepted. The
loaded books were “free of cost books through Bihar Shiksha
Pariyojana” for the Sessions 2015-16. The Thela owner said that
he purchased the said books from the petitioner at the rate of 8/-
per Kg. The weight of the books are 2.5 quintals.

Learned counsel submits that he is a teacher in a local
school and in fact he has not sold any book to Thela vendor. He
submits that he has been falsely implicated at the instance of one
Niraj Kumar, with whom he has boundary dispute.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today the above named petitioner be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case no. 157 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C. with the further condition that one of the sureties would be in form of cash deposit. The petitioner would not physically absent for two consecutive dates at stretch, till charge is framed.

(Samarendra Pratap Singh, J.)

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