

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14496 of 2016

Arising Out of PS.Case No. -76 Year- 2015 Thana -KATRAHA District- VAISHALI(HAJIPUR)

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Pankaj Kumar son of Munna Sah, resident of village- Jamin Mathia, P.S.-
Minapur (Panapur O.P.), District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-05-2016

Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with Kartahan P.S. Case No. 76 of 2015 registered for the offences punishable under Sections 379 and 420/34 of the Indian Penal Code.

Allegedly, some unknown person changed the ATM card of the informant. Thereafter from the account of the informant, amount of Rs. 18,500/- was withdrawn. During investigation, the petitioner was apprehended at Belsar O.P. and from his possession, some ATM cards were recovered and he confessed his guilt.

Submission is of false implication and that the petitioner has been made victim of the circumstances, nothing has

been recovered from the conscious possession of the petitioner, the informant has claimed that his son can identify the culprits but the petitioner has not been put on T.I.P. Without any cogent and legal material, charge sheet has already been submitted and as such the petitioner deserves sympathetic consideration.

The learned A.P.P fairly submits that copy of seizure list has not been attached in the case diary of this case and further the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner, above named, is 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, Vaishali @ Hajipur in connection with Kartahan P.S. Case No. 76 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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