

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38272 of 2016

Arising Out of PS.Case No. -107 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Pankaj Kumar, Son of Uma Shankar Sahani, Resident of Village-
Madhuban Kanti P.S Meenapur, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate

For the Opposite Party : Mr. Sri Ashok Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 30-09-2016

Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Saraiya P.S
Case No. 107 of 2016 registered for the offences punishable under
Sections 419, 420, 467, 468, 471 of the Indian Penal Code.

Allegedly, one unknown boy after changing the ATM,
gave ATM of one Salam Ara, to the informant thereafter withdrew
Rs. 40,000/- from the account of the informant. During
investigation, the name of the petitioner transpires and,
accordingly, chargesheet has been submitted against the petitioner.

Submission is of false implication and that only on suspicion
the petitioner has been apprehended, in ATM there is C.C.T.V
camera, but in camera also no photograph of the petitioner

has been found. The petitioner is in custody since 27.05.2016, but he has not been put on T.I.P. and without any legal and tangible material, the petitioner is suffering in custody, to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering the chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned S.D.J.M., (West) Muzaffarpur, in connection with Saraiya P.S. Case No. 107 of 2016, 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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