

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2075 of 2016

Arising Out of PS.Case No. -375 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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Saroj Gosai @ Firoj, S/o Sagar Gosai @ Kaptan, Resident of village- Tiwari
Purwa, P.S.- Dehati, Kotwali, District- Gonda, (Uttar Pradesh).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. S.R.P. Sinha,
Mr. Sanjay Kumar Singh
For the Opposite Party : Mr. Dasrath Mehta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 09-03-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Sour
Bazar P.S. Case No. 375 of 2015, registered under Section 406
and 420 of the Indian Penal Code.

The allegation of informant Mostt. Deoki Devi is
that her elder son Sanjay Kumar was missed in course of going
to Delhi before 14 years ago, but no trace was found. On
04.09.2015 two persons, in monk dress, came at her door, out of
which one disclosed his name as Sanjay Kumar and also
disclosed the name of his relative, then informant came in
impression that she found her son, thereafter, informant asked
him to stay in the house, then he told about performing the



Bandara at Goraknath Ashram for which there will be need of Rs. 1,00,000/-. Thereafter, informant gave Rs. 1,00,000/- to him and that person told the informant that he will come very soon and he returned saying that he sent the money at the Ashram for Bandara through his associate i.e. petitioner Saroj Gosai. Latter on, informant came to know that said Sanjay Kumar was not her son rather he cheated her and her son has been kept anywhere by that person.

Learned counsel appearing on behalf of the petitioner submits that the said cash of Rs. 1,00,000/- is said to be taken by Sanjay Kumar and not by this petitioner. This petitioner has been falsely implicated in this case. The petitioner has no criminal antecedent and he is in custody since 22.09.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 375 of 2015. Out of two sureties, one surety must be the parent of the petitioner, who will file an affidavit showing his relation with the petitioner and

further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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