

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46137 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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1. Prince Kumar Choudhary @ Prince Kumar Son of Pramod Choudhary,
Resident of Village - Upper Road, Mahajan Tola, P.S. - Sultanganj, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Smt.Pronati Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 11-04-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 420, 467, 468, 471 and 379 of the I.P.C
and section 66 of the Information Technology Act.

Allegedly, from the account of the informant standing
in the I.C.I.C.I. Bank at Sultanganj, amount of Rs. 53,550/- has
been withdrawn by the internet Banking in between 23.01.2015 to
27.01.2015 by the unknown and the said amount was transferred
in the account of Tata Indicom. During investigation the name of
the petitioner transpires and the SIM and other articles were
recovered.

Submission is of false implication and that nothing
has been recovered from his possession, the petitioner never

withdrew the amount from the account of the informant by the internet Banking, the petitioner has been remanded from other case resulting he is suffering in custody since 16.05.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by pointing out the alleged recovery.

In the facts and circumstances as stated above, considering detention of the petitioner and further that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Bhagalpur in Sultanganj P.S. Case No. 29 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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