

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54808 of 2015

Arising Out of PS.Case No. -582 Year- 2015 Thana -NAWADA District- NAWADA

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Nitish Kumar, S/o Navin Prasad, R/o Govindpur Upper Bazar, P.S. Govindur, District – Nawada, presently residing at Station Road near R.M.S. Gali in the house of Raj Kumar Prasad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. M.K. Khare (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-01-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is accused in connection with Nawada P.S. Case No. 582 of 2015 registered under Sections 420, 409, 468, 471 and 34 of the I.P.C.

The accusation is that when the Police entered in the ICICI Bank, Nawada, one person was found on the suspicious condition with cheque and on query, he firstly disclosed his name as Soni and later on, as Vijay Kumar and also stated that the cheque was handed over by this petitioner and the petitioner was apprehended outside bank who disclosed about handing over the cheque by one Sailesh Kumar. The cheque was related to the account of Md. Shamsad Alam, but later on, in course of

investigation, it is found that the cheque was missing since 3 months.

Learned counsel appearing on behalf of the petitioner submits that in fact, the cheque was handed over to him by one Sailesh Kumar then he handed over the same to Vijay Kumar without ill motive. It is also submitted petitioner has falsely been implicated in this case. Moreover, it would appear from the case diary that no money has been withdrawn from the account of Md. Shamsad Alam. It is further submitted that co-accused Vijay Kumar has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 57109 of 2015 on 18.12.2015. Petitioner is in custody since 05.09.2015.

Having considered the facts and circumstances of the case, let the above named petitioner 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 C.J.M., Nawada in connection with Nawada P.S. Case No. 582 of 2015. Out of two sureties, one surety must be parents or close relatives of the petitioner.

(Rajendra Kumar Mishra, J.)

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