

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23687 of 2016

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

Chintu Kumar, Son of Gonu Giri, residence of village- Dhemaha, P.S-
Kanti, District- Muzaffarpur. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-05-2016

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

In this case, the petitioner is seeking bail in
connection with Kanti (Panapur O.P.) P.S. Case No. 107 of 2016
registered for offences under Sections 379, 414, 420, 467, 468 and
471 of the Indian Penal Code.

The Police received a secret information that some
group of persons have assembled near the S.B.I. ATM for the
purpose of withdrawing money in illegal manner and on that
information, the Police party went there. Looking to the Police
party, four persons started fleeing away. Petitioner was arrested on
the spot and from his possession, two ATM Cards have been
recovered. The modus has been narrated in the First Information
Report that in what manner they used to withdraw the money.

Counsel for the petitioner submits that save and

except, the recovery of ATM Cards, nothing has been stated against the petitioner and he has no criminal history. The petitioner is in jail since 08.03.2016.

Looking to the facts and circumstances of the case, let the petitioner, namely, Chintu Kumar, 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 learned Sub Divisional Judicial Magistrate, (West) Muzaffarpur in connection with Kanti (Panapur O.P.) P.S. Case No. 107 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Kanti (Panapur O.P.) police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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