

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5221 of 2017

Arising Out of PS.Case No. -325 Year- 2016 Thana -PATLIPUTRA District- PATNA

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1. Abhishek Agrawal, S/o Late Jai Kishan Agrawal, R/o Idgah Mohalla Canal Road, P.S.- Dehri-on-Sone, Rohtas, Bihar, at present Kali Mandir Road, Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-04-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Patliputra P.S. Case No. 325 of 2016 registered for the offences punishable under Sections 420, 468, 471, 467, 120(B) and 380 of the Indian Penal Code.

Allegedly, the petitioner, being the friend of younger brother of the informant, used to come in his house and taking the advantage, he stole original sale deeds of one Shyama Devi and other of Nathuni Prasad and on the basis of original sale deed, the petitioner and others were creating agreement and were trying to



create sale deed for the land of the informant and then the informant came at the house of the petitioner and demanded the original sale deeds and then he confessed his guilt and told to return the sale deeds. The petitioner told Pappu Khan to bring the sale deeds but the sale deeds were not returned and then the petitioner was handed over to the police.

Submission is of false implication and that the petitioner has been made victim of the circumstances, no offence under Section 420 IPC is made out, no one has seen committing theft of the sale deeds. The present case is based on entirely wrong allegations and without any fault, the petitioner is suffering in custody since 09.10.2016 and, as such, he deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that petitioner is the main accused as against the petitioner there is sufficient material in the case diary also.

In the facts and circumstances stated above, considering the custody of the petitioner and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Patna in connection with Patliputra P.S. Case No. 325 of 2016 subject to the conditions that one of the bailors must be 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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