

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19931 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -DARBHANGA District- DARBHANGA

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1. Dharmendra Roy, S/o Late Mahendra Roy @ Mannu Roy, resident of Village- Mirzanhat, Kalabganj, P.S.- Mojahidpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Smt. Rita Verma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 25-05-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Town P.S Case No. 102 of 2016 registered for the offences punishable under Sections 406, 419, 420, 467, 468, 471/34 of the Indian Penal Code.

Allegedly, the informant after receiving an information that two persons are at S.B.I. City Branch, Darbhanga in suspicious condition went there with police constable and saw one person fleeing away and the petitioner was caught and after search bundle of paper along with a note of Rs. 5,00/- and a Micromax mobile have been recovered from his possession and the petitioner disclosed that he used to cheat the public in bank premises.



Submission is of false implication and alleged currency note of Rs. 5,00/- is not fake, the alleged search and seizure were made in violation of Section 100 Cr.P.C., the petitioner is in jail custody since 28.05.2016 and now he has sufficiently been penalized. and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the custody of the petitioner and now, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Town P.S. Case No. 102 of 2016, 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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