

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34561 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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1. Mohan Sah Son of Late Sidho Sah, R/o Village- Pachgachiya, P.S.-
Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-07-2017 The petitioner seeks regular bail in connection with

Bihariganj P.S. Case No. 82 of 2017, registered for offences

punishable under Section 420 and 379 of the Indian Penal Code.

Allegation as per F.I.R that some accused persons

fraudulently transferred Rs. 68,500/- of the informant in some

other account and it is alleged that in the petitioner's account Rs.

20,000/- was transferred.

It has been submitted on behalf of the petitioner that

petitioner is an old man and has nothing to do with the informant

and is nowhere concerned, with the amount deposited in the

account of the petitioner and further he is also ready to return the

said amount. Further he has been in judicial custody for last five

months.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and submission of learned counsel for the petitioner, this application is disposed of with direction to the petitioner to deposit the above said amount of Rs. 20,000/- in the court below, which shall be released in favour of the informant and the court below only after satisfying himself, shall release the petitioner on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Udakishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 82 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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