

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32055 of 2018

Arising Out of PS.Case No. -7 Year- 2017 Thana -MANSURCHAK District- BEGUSARAI

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Sanjay Mishra @ Sanjay Kumar Mishra, S/o Sri Ganesh Mishra, R/o Vill.-
Shokhara, P.S.- Phulwaria, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Nirmala Kumari, Shyameshwar
Dayal and Amit Narayan, Advocates.
For the State : Mr. Mukeshwar Dayal, A.P.P.
For the Informant : M/S. Manish Kumar No. 13 and Rohit
Kumar, Advocates.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 28-06-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned counsel appearing on
behalf of the State.

The petitioner is in custody since 25.01.2018 in
connection with Mansoorchak @ Mansurchak P.S. Case No. 07 of
2017 registered for the offence under Sections 408 and 420 of the
Indian Penal Code.

A counter affidavit has been filed on behalf of the
informant.

Learned counsel for the petitioner submits that the
petitioner is alleged to have defalcated Rs. 35,00,000/-of



M.B.N.B. Cold Storage belonging to the informant. It is further submitted that the petitioner was an Accountant in the said Cold Storage and had no concern with the receipt of the amount of money nor he had any connection with the transaction rather he was only confined to maintenance of accounts and not any other things. It is further submitted that the petitioner has falsely been implicated in connection with the present case and he is willing to co-operate with the investigation and also take appropriate steps as and when called for and will appear before the court as and when required. It is further submitted that the petitioner is in custody since 25.01.2018 and he has one other case relating to family dispute.

Having taken into consideration all facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing 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., Begusarai, in connection with Mansoorchak @ Mansurchak P.S. Case No. 07 of 2017, G.R. No. 289 of 2017, subject to the following conditions:

- (1) One of the bailors will be his father.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the



trial.

- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

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(Anjana Mishra, J)

