

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36655 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Vivek Kumar S/o Prem Chandra Jaishwal, R/o Mohalla- Pratap Patti, P.S.-
Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 30.03.2018 in connection with Kesariya P.S. Case No. 50 of 2017 for the offence registered under Sections 406, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that entirely frivolous allegation has been made and no such committee had been formed. It is further submitted that from the entire perusal of evidence and from the FIR itself, it appears that as a matter of fact the petitioner had never looked after the business of composite wine shop no. 62. It is further submitted that it was the informant himself, who was in connivance with other co-accused persons



and had been fraudulently making papers with an intention to cheat the local persons and when the same was resisted by the petitioner, the present case of embezzlement has been lodged against the petitioner. It is further submitted that similarly situated co-accused persons namely, Abhinav Kumar has been extended the privilege of regular bail vide order dated 10.05.2018 passed in Cr. Misc. No. 29248 of 2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 Additional Chief Judicial Magistrate- XI, East Champaran, Motihari in connection with Kesariya P.S. Case No. 50 of 2017.

(Anjana Mishra, J)

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