

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69534 of 2018

Arising Out of PS. Case No.-186 Year-2016 Thana- PATLIPUTRA District- Patna

Kaushal Kumar, Son of Nawal Kishore Sharma, Resident of Mo- Rajapur,
Mainpura, Kahar Toli, P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bajarangi Lal

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Patliputra P.S. Case No. 186 of 2016 registered for the offence punishable under Sections 406, 420, 379, 427/34 of the Indian Penal Code.

Allegation against petitioner and other accused is of embezzlement and misappropriation of Rs. 4,74,900 which was to be deposited in ATM of Uco Bank.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to rivalry. It has been further submitted that password of the ATM which was given to the accused persons to unlock the vault was also kept in the office of the Company which could be used by



other officials also. Date of occurrence is 12.04.2016 whereas FIR has been lodged on 23.05.2016. There is no direct evidence against petitioner. FIR has been instituted only on the basis of suspicion. Charge sheet has been submitted. Petitioner has no criminal antecedent and he is in custody since 29.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Patliputra P.S. Case No. 186 of 2016 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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