

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40822 of 2017

Arising Out of PS.Case No. -45 Year- 2010 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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Rohit Kumar, Son of Nawal Kishore Tiwari, Resident of Village-Puskaul,
P.S.-Chakmehasi, District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Urmila Sinha, wife of Kailash Nursing Home & Maternity Centre,
Kalam Bagh Road, P.S. Kazimohammadpur, Distt. Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate.

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 03-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in

Kajimohammadpur P.S. Case No. 45 of 2010, G.R. No. 1036 of

2010 instituted for the offence under Sections 406 and 420 of the
Indian Penal Code.

Notice was issued to the opposite party No. 2 but
none appeared on her behalf.

In the written report it is alleged that son of the
informant is running a medicine shop in which this petitioner was
an employee who has misappropriated Rs.18,000/- from cash box
on 18.3.2010 but he did not give any satisfactory reply. It is
further alleged that petitioner stopped coming to the shop in



question.

Learned counsel for the petitioner has submitted that actual fact is that Deepak Kumar, son of the informant, is Proprietor as well as Manager of said Medical Store and all business transaction was done by him. This case has been filed only to save the skin of the son of the informant and his prestige in the market.

From the written report it appears that there is general and omnibus allegation against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Kajimohammadpur P.S. Case No. 45 of 2010, G.R. No. 1036 of 2010**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-cum-Sub Judge 1st, Muzaffarpur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be



present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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.

(Sanjay Priya, J)

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