

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30442 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- AMNAUR District- Saran

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Amit Kumar @ Amit Kr. Ram, Son of Madan Ram, resident of Village-
Dhanupur, P.S.- Baniyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 13-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Amnour P.S.
Case No. 34/2018 for offences punishable under Section 392 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had collected Rs. 61,945/- from the villagers as
Agent of Bandhan Bank and while returning four miscreants on
two motorcycles on gun point snatched money, mobile, register,
driving licence and other papers and fled away.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He submits that
only on his extra-judicial confessional statement before the



police that he has been made accused. In fact, the informant himself in order to defalcate the Bank's money has hatched a conspiracy along with the petitioner and the stolen articles were recovered from the place as indicated by the petitioner. He further submits that from paragraph 55 of the case diary, it is evident that the informant himself was the culprit and has defalcated the entire money. It is further submitted that the petitioner is languishing in judicial custody since 07.04.2018 and undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on 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, Saran at Chapra, in connection with Amnour P.S. Case No. 34/2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

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