

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11049 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Suresh Tiwari S/o Late Baidhyanath Tiwari, R/o Village- Karnameya,
P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 23-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 420,406,387,506/34
of the Indian Penal Code.

The petitioner was Manager of the informant
at the petrol pump at Bettiah. The informant was normally
residing at Patna. Hence, allegation is that he had handed
over signed blank cheques to the petitioner for use for the
business purpose of the petrol pump. The petitioner issued
though cheques to different persons and took money from
them. Besides, the aforesaid, the petitioner took away the
earnings of the petrol pump and as such criminally cheated
to the informant.



Learned counsel for the petitioner submits that the petitioner is in custody since 06.01.2018. The allegation is not substantiated by material on the record. In fact the informant himself had given those blank cheques to the people from whom the informant had borrowed money for his business at Patna and after some differences with the petitioner and other staff, the informant removed the petitioner and other staff and others have already been allowed anticipatory bail by this Court. There is no other material to substantiate the allegation of commission of misappropriation of earnings of the petrol pump.

Learned counsel for the informant opposed the prayer for bail on the ground that in paragraph-98 of the case diary, it has come that when the I.O. reached at the petrol pump he found the tank empty.

Considering the facts of this case aforesaid especially lack of substantial material to substantiate the allegation, for the purpose of this application, hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Manjhaulia Police Station Case No.272 of 2017, subject to the condition that the petitioner shall fully cooperate with



the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

