

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22827 of 2018

Arising Out of PS.Case No. -251 Year- 2017 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Chandan Kumar Chaudhary S/o Arun Kumar Chaudhary Resident of
Village - Saidpur, P.S. Hisua, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.30613 of 2018

Arising Out of PS.Case No. -251 Year- 2017 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Santosh Kumar S/o Ram Prakash, R/o Vill.- Arna, P.S.- Uchakagaon,
District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.22827 of 2018)

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Sri Anil Kumar

(In Cr.Misc. No.30613 of 2018)

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018

As both the above mentioned cases arise out of
same p.s. case and having similar allegations, they are clubbed
together and are being disposed of by this common order for the
sake of convenience.

The petitioners in both the above mentioned cases are



apprehending their arrest in connection with Sohsarai P.S. Case No. 251 of 2017, registered for offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

Allegation against the petitioners that they put Rs. 1,00/- in cassette of Rs. 5,00 in the ATM and thus defalcated an amount of Rs. 6,76,000/-

It has been submitted on behalf of the petitioners that they have nothing to do with the allegation and due to technical fault in the ATM machine, the error might have occurred. It has also been submitted that in the first part of the F.I.R there is no shortage of money but in the second portion of the F.I.R allegation has been made that from last six months petitioners were doing the said act.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Sohsarai P.S. Case No. 251 of



2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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