

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2246 of 2019

Arising Out of P.S. Case No.-67 Year-2018 Thana- NATIONAL HIGHWAY District-
Samastipur

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Dilip Kumar, Male-22 years son of Shiv Narayan Das Resident of Village-
Harpur Elouth, P.S.- Musri Gharari, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
11.09.2018 in connection with N.H.Bangra P.S.Case No.67 of
2018 for the offence alleged under Sections 406 and 420 of the
Indian Penal Code.

The prosecution case as lodged by the informant who
works as a Manager in a company known as Abhinav Ferti
Traders, Arya Samaj Road, Samastipur is that the petitioner
worked as a Field Worker of the said company and after taking
Rs.1,50,000/- from the customers while he was returning, he
gave a telephonic call to the informant that the said money has
been looted. On investigation, it was found that no such
occurrence had taken place and the petitioner out of greed has
taken the money and gave false information.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and Rs.1,50,000/- has already been recovered which he confessed that since his mother was sick, he had taken the money. He further submits that chargesheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

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

Considering the facts and circumstances and the materials on record and that the stolen money has already been recovered and the petitioner has been punished enough, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with N.H.Bangra P.S.Case No.67 of 2018 to the satisfaction of Additional Chief Judicial Magistrate-III, Samastipur subject to the following condition:-

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

B.Kr./-

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(Nilu Agrawal, J)

