

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8030 of 2019

Arising Out of P.S. Case No.-818 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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CHHABI KANT YADAV @ CHHABI NATH YADAV, aged about-36 years
(Male), Son of Narsingh Prasad Yadav Resident of Village-Gurudwara
Barahat, P.S.- Barahat, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
07.08.2018 in connection with Kotwali (Barari) P.S. Case
No.818 of 2017 for the offence alleged under Sections 406 and
420 of the Indian Penal Code.

The prosecution case as lodged by the informant is
that the petitioner received information that Rs.5,00,000/- has
been sanctioned under the Pradhan Mantri Rojgar Yojna to the
informant. Thereafter, the petitioner in the guise of being a bank
staff came and took away Rs.32,000/- from the informant on the
pretext of certain tax and other miscellaneous expenses but the
informant found that the said amount of Rs.5,00,000/- has not



yet been credited in his account and Rs.32,000/- has been lured by the petitioner from the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has nothing to do with the alleged money, in fact, one Pravin Das on the pretext of providing job had taken some money from the informant's father and there is no receipt of money given to the petitioner and that he is not a bank staff. He further submits that chargesheet has already been submitted, there being 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, 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 Kotwali (Barari) P.S.Case No.818 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Bhagalpur, 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)

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