

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21818 of 2019

Arising Out of PS. Case No.-14 Year-2016 Thana- TARAPUR District- Munger

Bhole Shankar Mishra, aged about 35 years, Gender-Male, Son of Sri Devendra Narayan Mishra, Resident of Village-Madachak, P.S.- Amarpur, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 18-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code registered in connection with Tarapur P.S. Case No. 14 of 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with cash of Rs. 3,19,640/- missing from the locker of SKS Microfinance Limited, Tarapur of which the petitioner is the Branch Manager. As a matter of fact, the FIR had been lodged by the petitioner himself on the information received by him from his cashier, naming Jay Kumar Singh and Amarkant as accused persons, who were in possession of the keys to the locker, respectively. It is stated that the question of the petitioner opening the locker when the keys were with the FIR named accused persons could not arise. After investigation, the police has exonerated the FIR named accused persons and instead filed charge-sheet against the petitioner, who claims clean antecedents.

4. Learned APP has not pointed out any objective material from the case diary against the petitioner.



5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Mr. Jeetendera Kumar, learned Additional Chief Judicial Magistrate-IV, Munger in connection with Tarapur P.S. Case No. 14 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

BT/-

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

