IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78097 of 2018

Arising Out of PS. Case No.-506 Year-2018 Thana- KOTWALI District- Patna

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Ajay Kumar @ Motka S/o Shri Radhe Shyam Dom @ Chandrika Prasad, R/o R-Block Road No. 8, P.S.- Sachiwalaya, Distt.- Patna and at present New Market , P.S.- Kotwali, District- Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Kotwali P.S. Case No. 506 of 2018 G.R. No.5210 of 2018 registered for the offence punishable under Sections 461, 379 and 34 of the Indian Penal Code.

Informant has alleged that he is Munshi and had kept Rs.1,60,000/- in Box which was seen by the accused petitioner and next day when he went to take out the said amount, he found lock of the bag is broken and the amount was stolen by somebody and he has alleged that the petitioner has committed theft of said money and he also accepted his guilt but subsequently refused to return the amount.

It has been submitted on behalf of the petitioner that he

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is innocent and has falsely been implicated in this case only on the basis of suspicion. Nothing has been recovered from the possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 08.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Kotwali P.S. Case No. 506 of 2018 G.R. No.5210 of 2018, with following conditions:-

(1)Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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