

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21957 of 2019

Arising Out of PS. Case No.-975 Year-2018 Thana- SONEPUR District- Saran

Virju Sharma @ Birju Sharma Son of Late Kamal Sharma, Resident of
Village-Sonepur Barbatta, P.S-Sonepur, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-04-2019 Supplementary affidavit has been filed on behalf of
the petitioner. Same be kept on the record.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 420, 379 of the Indian Penal Code and Sections 66,
66(C) of the Information and Technology Act.

Allegation is that two unknown persons withdrew
Rs.1,66,000/- from the A.T.M. of the informant.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.12.2018 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. The petitioner has been made accused due



to mistake of fact.

In paragraph 4 of the supplementary affidavit, the following statement has been made on behalf of the petitioner :

“That petitioner is ready to obey each and every condition imposed by this Hon’ble Court upon him including deposition of money within the time fixed by this Hon’ble Court.”

In pursuance of the statement made on behalf of the petitioner in the supplementary affidavit, the petitioner is ready to deposit an amount of Rs.83,000/- within a period of eight weeks in the court below from the date of release.

Considering the aforesaid submissions, let the **petitioner, above named, is directed to be released on provisional bail** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Saran , Chapra in connection with Sonapur P.S. case No.975 of 2018.

After release, the petitioner is directed to deposit an amount of Rs.83,000/- in the court below within a period of eight weeks. If the said amount is deposited by the petitioner, the provisional bail granted to the petitioner shall be confirmed by the court below.



The petitioner, after compliance of the aforesaid statement and the submission, will be at liberty to make an application before the court below for dropping the prosecution. If the said application is filed on behalf of the petitioner, same shall be considered by the court below and the amount deposited by the petitioner shall be released in favour of the informant.

(Sudhir Singh, J)

Narendra/-

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