

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30407 of 2019

Arising Out of PS. Case No.-206 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Abhishek Kumar Singh, Son of Late Manoj Singh, Resident of Village -
Rajmal, P.S.- Rivilganj, Dist.- Saran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

For the Informant : Mr. Mayank Rukhaiyar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 07-05-2019 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State as well as Mr. Mayank

Rukhaiyar, learned counsel appearing on behalf of the

informant.

The petitioner is in custody in connection with

Hajipur Industrial Area P.S. Case No.206 of 2018 for the

offences under Sections 409, 420, 379, 120-B, 34 of the Indian

Penal Code.

Learned counsel for the petitioner submits that in the

instant case during investigation stolen money of Rs.10,00,000/-

was recovered from the FIR named accused, namely, Rupesh

Kumar and Rs.98,000/- from Shivendra Kumar @ Chhotu,

brother-in-law of petitioner and Yamaha Motorcycle, LED T.V.

and Laptop were also recovered from the room of the petitioner.

Learned counsel appearing on behalf of the informant



would submit that petitioner has key role in the instant case. He admits that in the instant case there are many accused persons, but the role of this petitioner is also important in the whole transaction.

Learned counsel for the petitioner submits that Rupesh Kumar from whose possession Rs.10,00,00/- was recovered, has been granted bail whereas nothing was recovered from the possession of this petitioner. He further submits that the case of this petitioner is on the better footing as such petitioner deserves bail. He further submits that accused Rupesh Kumar has deposited rupees one lac in the court below in lieu of bail.

Learned counsel for the petitioner further submits that petitioner is in custody since 07.12.2018.

Considering the fact that petitioner has remained in custody since 07.12.2018 and other accused including Rupesh Kumar has been granted bail, the Court is inclined to grant bail to the petitioner subject to the condition that petitioner shall deposit Rs.1,00,000/- (One Lac) in the court below within a period of one month from today. In the meantime, the Court shall release the petitioner provisionally. Let the petitioner, named above, is directed to be released on provisional bail on



furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Industrial Area P.S. Case No.206 of 2018 and the provisional bail shall be made absolute after the deposit of rupees one lac in the court below within the period stipulated above.

(Anil Kumar Upadhyay, J)

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