IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32563 of 2019

Arising Out of PS. Case No.-653 Year-2018 Thana- KHAGARIA District- Khagaria

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Ashok Sharma, aged about 35 years (Male), Son of Chandradeo Sharma, Resident of Village- Shumbha, Gaji Ghat, Tola Marain, P.S.- Alouli, District- Khagaria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Yogendra Kumar
For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

4 28-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 419, 420, 467, 468, 469, 120 (B)/34 of the Indian Penal Code.

The prosecution case is that the instant case has been registered against the petitioner and other co-accused on the basis of the written report of the informant Balram Singh alleging therein that the petitioner along with co-accused persons obtained pass-book, Adhar Cards, ATM cards and SIMS form the informant and other on pretext to provide them loan and later on it came to light that the accused persons got transferred the loan amount in their accounts and withdrew the

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same.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.09.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. The petitioner is innocent and has falsely been implicated in this case due to local politics. There is no recovery from the conscious possession of the petitioner. The co-accused have been granted regular bail by the Co-ordinate Benches of this Hon'ble Court in Cr. Misc. No. 73536 of 2018 dated 14.12.2018 and Cr. Misc. No. 13818 of 2019 dated 16.04.2019.

Considering the aforesaid facts and circumstances, 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 to the satisfaction of the learned C.J.M., Khagaria, in connection with Khagaria (Gangour), P.S. Case No. 653/2018, subject to the 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 Court and his absence on two consecutive dates without sufficient reasons, his

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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.

(Anjani Kumar Sharan, J)

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