

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36852 of 2019

Arising Out of PS. Case No.-418 Year-2017 Thana- PATLIPUTRA District- Patna

Shivam Kumar Son of Shyam Sundar Singh @ Sunil Singh @ Sunil Kumar
Singh Resident of Village - Morsand, P.S.- Runni Saidpur, P.O.- Morsand,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 403/406/407/420/379/467/468/471 and 120(B) of the
Indian Penal Code.

Prosecution case in short is that the informant runs a show
room by taking franchise of different companies. The petitioner
including his family members, being employees of the show
room of the informant, in question, misappropriated an amount
of Rs. 25,34,190/-.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner is in custody since 06-12-2018. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. The entire family members including parents of the petitioner have been made accused in the present case by the informant. The informant used to run showrooms at different places by taking franchise of different companies. It is alleged that the petitioner and his family members were employees in the said showrooms. Allegedly, the petitioner and other accused misappropriated an amount of Rs. 25,34,190/- of the showrooms of the informant. There is no such documentary evidence or any other substantive evidence to show that any misappropriation has been made on the part of the petitioner. The allegation of constructing a house worth Rs. 30,000,00/- (thirty lacs) is denied by the petitioner. It is further submitted that the petitioner will co-operate during the trial. The other co-accuseds with similar allegations have been granted bail by coordinate a bench of this court vide orders dated 16-04-2019 and 08-05-2019 passed in Cr. Misc. Nos. 24374 of 2019 and 30258 of 2019.

On behalf of the State and the counsel for the informant, the prayer for bail is opposed and it is submitted that the petitioner is named in the Complaint Case/F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XII-cum-Additional Chief Judicial Magistrate, Patna in connection with Patliputra P.S. Case No. 418 of 2017.

(Sudhir Singh, J)

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