

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37856 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- CHANDI District- Nalanda

BIRENDRA KUMAR KAUSHIK @ VIRENDRA KUMAR KAUSHIK S/O
Ramji Singh Resident of Village- Naili, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

37856... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-06-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Candi P.S. Case No. 73 of 2019, disclosing offences under Sections 379 and 420 of the Indian Penal Code.

The petitioner was working as Delivery Boy for the Ecom Express Private Limited, of which the informant is the Branch Manager of one of the Branches of the said Company. It is alleged that the petitioner, who had a duty to deliver goods, used to replace the mobile sets, which were required to be delivered by him for the Company to the customers, with trash and returned the packages back to the Company on the pretext that the



items could not be delivered.

Learned counsel for the petitioner has submitted that the petitioner's implication is based on mere suspicion and there is no likelihood of the petitioner fleeing away from the course of investigation or trial. He has also argued that the petitioner's implication is based on the information, alleged to have been supplied by one Rakesh Kumar.

Be that as it may, considering the nature of accusation, the petition is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, 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 the learned Chief Judicial Magistrate, Hilsa, Nalanda in connection with Chandi P.S. Case No. 73 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on



two consecutive occasions, his bail bonds shall be liable
to be cancelled.

(Chakradhari Sharan Singh, J)

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