

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70721 of 2019

Arising Out of PS. Case No.-236 Year-2019 Thana- RAXAUL District- East Champaran

Abdul Rashid Son of Mir Hasan Miyan Resident of Village - Sidhpur,
Palanwa, P.S.- Palanwa, District- East Champaran ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Tejendra Sinha, Advocate
For the Opposite Party : Mr. Sunil Kr Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 420 and other allied sections of the Indian Penal Code.

Informant, the Station House Officer, Raxaul Police Station, alleged that a case of loot of Rs.8 lacs of the Consumer Service Point, Palanwa was instituted by one Amit Kumar Mishra. After investigation, it came to surface that in fact said Amit Kumar Mishra lodged a false case of loot and grabbed the aforesaid deposit of the customers with the aid of other co-accused persons including the petitioner.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case only on suspicion stating him as an associate of the main accused Amit Kumar Mishra. He submits that the petitioner being Consumer Service Provider (CSP) on 5.7.2019 handed over a bank cheque of Rs.4 lacs to said Amit Kumar Mishra for withdrawal, but said Amit Kr. Mishra, with oblique motive, lodged the instant false case, to which he had no knowledge. Petitioner is in custody since 6.7.2019. He submits that nothing incriminating has been



recovered from the possession of the petitioner to connect him with the offence. Petitioner has got no criminal antecedent. Charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, East Champaran, Motihari in Raxaul Police Station Case No. 236 of 2019, on the following conditions:-

(1) 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 the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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