

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78916 of 2018

Arising Out of PS. Case No.-274 Year-2018 Thana- GANDHIMAIDAN District- Patna

Sunil @ Sunil Kumar S/o Late Lalit Mohan Pandit R/o-East Rupaspur,
Bhattapar, Dhanaut, P.S-Phulwari, Distt.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajey Kumar, Adv.

For the Opposite Party/s : Mr.Sri Uday Chand Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Gandhi Maidan P.S. Case No. 274 of 2018
registered for the offences punishable under Sections 406, 420,
34 of the Indian Penal Code.

Informant who is cashier in an Auto Mobile
dealership has alleged that one Dinesh Kumar being a vehicle
registration agent used to work in the dealership of the
informant and on his instruction Rs. 13,64,044/- was entrusted
to his brother Ramesh Kumar and petitioner, who
misappropriated the said money.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been



falsely implicated in this case. Chargesheet has been submitted against petitioner. Petitioner has no criminal antecedent and is in custody since 09.09.2018. Similarly placed co-accused Dinesh Kuamr has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 68679 of 2018 vide order dated 02.01.2019.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Gandhi Madidan P.S. Case No. 274 of 2018, subject to 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 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.

(S. Kumar, J)

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