

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.78127 of 2018

Arising Out of PS. Case No.-506 Year-2018 Thana- KOTWALI District- Patna

Lembu Dom @ Lamboo Dom @ Radhe Malik S/o Late Hari Dom, R/o
Mohalla- R. Block Road No. -8, P.S.- Sachiwalaya, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2

For the Opposite Party/s : Mr.Sri Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Kotwali P.S. Case No. 506 of 2018 registered
for the offence punishable under Sections 461, 379 and 34 of the
Indian Penal Code.

Informant has alleged in the FIR that he is Munshi
and he kept Rs. 1,60,000/- in the box for construction of his
house and while he was keeping the same co-accused Ajay
Kumar @ Motka was present there. On 06.08.2018 when he
came to open the box he saw that lock of the box was broken
and money was missing. He suspects that Ajay Kumar @ Motka
had seen the amount and he might have stolen the same. When
he asked Ajay Kumar he accepted that he had stolen the money
and gave to Lembu Dom (petitioner) and same will be returned
but he refused to return the same.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the basis of suspicion. Nothing has been recovered from the possession of petitioner. Petitioner has no criminal antecedent and he is in custody since 09.08.2018.

Considering the aforesaid facts 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 Kotwali P.S. Case No. 506 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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