

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65544 of 2018

Arising Out of PS. Case No.-229 Year-2018 Thana- SHIVSAGAR District- Rohtas

Sri Sumer Singh @ Sumer Singh S/o Late Sigasan Singh, Resident of Village-
Kumhau, P.S.- Sasaram District- Rohtas.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 420 and 34 of the Indian Penal Code registered in connection with Sheosagar P.S. Case No. 229 of 2018.

3. It is submitted that the petitioner has been falsely implicated as responsibility of safe custody of cash collected from Sasaram Toll Plaza said to be short of Rs. 5,00,000/- was upon co-accused Jamil Ansari and Vivek Kumar Singh, who were posted as Banking Assistants. The petitioner is not the employee of Toll Plaza Company rather merely he happens to be a Guard employed by Orian Security Company and is responsible for ensuring safe transportation of the amount to the Bank. There is no accusation of any irregularity during such transportation. The petitioner has no duty to perform either inside cash-room of the company nor inside the bank but merely in between. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Judge VII-cum-Additional Chief Judicial Magistrate, Sasaram at Rohtas in connection with Sheosagar P.S. Case No. 229 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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