

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.87 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- RIVILGANJ District- Saran

1. Musafir Sharma son of Late Nagina Sharma
2. Ritesh Sharma son of Musafir Sharma
3. Ravi Sharma son of Musafir Sharma
All residents of Village-Brahm Asthan, Semariya, P.S-Revilganj, District-Saran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar Sinha, Adv.

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-02-2019

The appellants seek pre-arrest bail in connection with Rivilganj P.S. Case No. 179 of 2018, registered for offences punishable under Sections 406, 419, 420, 504, 34 of the Indian Penal Code and Section 3(i)(x) of SC/ST Act.

Allegation against the appellants is that they have taken away rupees three lacs by cheques and cash for providing the job to the informant in Secretariat and they have not provided the job and not returning the amount.

Submission of learned counsel for the appellants is that the allegation is against appellant nos.1 & 2 of taking the money and no specific allegation is against appellant no.3. Further submitted that if some reasonable time is granted, they will deposit the amount.

Heard learned Special P.P. also.



Having heard both sides, considering the facts and circumstances of the case as stated above, so far appellant no.3 is concerned, let appellant no.3, above named, be surrendered within a period of six weeks and on surrender he will release on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st cum Special Judge, (SC/ST Act), Saran at Chapra, in connection with Rivilganj P.S. Case No. 179 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

So far appellant nos.1 & 2 are concerned, they are directed to surrender before the court below within a period of eight weeks from the date of receipt of the judgment along with a bank draft of Rs.3,00,000/- payable to the informant and once the same is deposited, they will be released on bail by the learned court below to his own satisfaction. It is needless to say that the aforesaid deposit of the amount will be subject to the outcome of the case.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

