

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85084 of 2019

Arising Out of PS. Case No.-473 Year-2019 Thana- GAYA KOTWALI District- Gaya

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PROSENJEET KUMAR @ PROSENJEET RAJ @ PRASONJIT KUMAR @
PROSONJIT RAJ Son of Ravi Raj Resident of Mohalla - Golbagicha, P.S.-
Kotwali, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-12-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Kotwali PS case no. 473 of 2019 instituted for the offence
punishable under Sections 457, 380 of Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having alleged to have committed
a theft of Rs. 22 lacs approximately from a company namely
E.Com Express Private Limited.

The learned counsel for the petitioner has
submitted that the petitioner has been falsely implicated in the
present case merely on suspicion and no any recovery has been
made from his possession nor any material is available on



record to connect the petitioner with the alleged crime. It is further submitted that the petitioner never kept the keys of the cash locker, hence it cannot be said that the petitioner is the person who had committed theft, even the CCTV footage does not show the petitioner to be the person who has visited office and committed the theft. The petitioner is said to be languishing in custody since 18.10.2019.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali PS case no. 473 of 2019. It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10.30 am on every Monday, starting from the day he is released on bail, and in case of failure to do so on three consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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