

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5818 of 2020

Arising Out of PS. Case No.-72 Year-2019 Thana- DHANGAI District- Bhojpur

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Pintu Sharma Son of Raj Narayan Sharma Resident of Village - Suhiya, P.S.-
Shahpur, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
01.12.2019 in a case registered for the offence punishable under
Section 392 of the Indian Penal Code, hence, the prayer for bail
has been made through the present application.

The prosecution case, as per the written report of
Nitish Kumar submitted to the Station House Officer, Dhangai
P.S., is to the effect that on 21.11.2019, the informant, being a
Sales Manager of M/s Vaya Finserve Pvt. Ltd. collected
Rs.76,450/-from Shahpurand Rani Sagar groups and on the way,
three motorcycle borne miscreants came and robbed the money



of the informant along with Samsung tablet and documents and key of the motorcycle, leading to registration of the case against unknown. The name of the petitioner sprang up during investigation and on his confession, Rs.5,000/- was recovered underneath the bed of the petitioner.

It is submitted by learned counsel for the petitioner that actually the recovered money belongs to the petitioners and neither the recovery money nor the petitioner has been put on T.I. Parade and investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery of cash is made from the bed of the petitioner.

Considering the fact that neither the recovered money nor the petitioner has been put on T.I. Parade, the investigation has already been concluded and statement being made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Dhangai P.S. Case No. 72 of 2019.



However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Dhangai P.S. Case No. 72 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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