

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79989 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- SABAUR District- Bhagalpur

=====

MUKESH CHAUDHURY @ MUKESH KUMAR CHOUDHARY Son of
Ganesh Chaudhary Resident of Village-Mayagunj, P.S.-Barari, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Sabour P. S. Case No. 363 of 2018** instituted for the offence under Section(s) 392 and 411 of the Indian Penal Code.

Three persons sitting on a motorcycle are said to have taken away an amount of Rs. 8,13,000/- withdrawn by the informant from the State Bank of India. It is on such allegations that the instant prosecution was instituted.

The counsel for petitioner submits that the entire amount of Rs. 8,13,000/- which is said to have been snatched has already been recovered from other co-accused persons. The same has also been found in course of investigation as is evident



from order of the Sessions Judge, Bhagalpur, dated 29.04.2019 whereby petitioner's prayer for bail was rejected. The petitioner has been implicated in the instant case as the arrested co-accused persons have named him as one of the associates. There is statement in the bail petition that there is no criminal antecedents of the petitioner. In such circumstances, he is in custody since 30.12.2018. It is further submitted that others similarly implicated as the petitioner, namely, Lakshman Mandal @ Laxman Mandal, has been allowed bail in Cr Misc. No. 56588 of 2019.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, IX Bhagalpur**, in connection with **Sabour P. S. Case No. 363 of 2018**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

