

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86740 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- BARIYARPUR District- Munger

SAURABH KUMAR @ SAURAB KUMAR Son of Late Manoj Kumar
Gupta Resident of Village - Akharha Tola, Ratanpur, P.S.- Bariyarpur,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

4 02-06-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 420 and 406 of the Indian
Penal Code.

As per FIR, one Rakesh Kumar. B.D.O., Bariyarpur
sent a letter no.561 dated 25.05.2009 to the S.H.O. of
Bariayarpur Police Station upon which present FIR was lodged
by the police against the petitioner and others. The ward
member-cum-President and member Secretary is fully
responsible for financial management of ward financing and
management committee. Any cheque to withdraw is signed by
both the persons. It is further alleged that President and



Secretary of Ward functioning and management committee have jointly withdrawn amount through bearer cheque from Bank, although under guidelines issued by the Government same is to be issued in name of Firm or Agency.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Work for which amount was withdrawn has been completed and allegation is of procedural lapses only. Similarly placed co-accused Saurabh Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 29.01.2020 passed in Cr. Misc. No.1328 of 2020. Petitioner has no criminal antecedent and he is in custody since 06.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bariyarpur P.S. Case No. 66 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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