

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1097 of 2020

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

SARVESH KUMAR Son of Nawal Kishore @ Naval Kishor Singh Resident
of Village - Bhagwatipur, P.S.- Banshi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar @ Alok Kr Shahi

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-01-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 457 & 380 of the Indian
Penal Code.

Allegation against the FIR five named accused
including the petitioner is suspected to have committed a theft
of Rs.22 lacs approximately from a company namely E. Com
Express private Limited. All the FIR named accused including
petitioner are employees of said company.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Petitioner is D.C. head of the company and he shared the keys
of the locker with other employees. Similarly placed co-
accused Prosenjeet Kumar and Raju Thakur have already been
granted bail by a co-ordinate Bench of this Court vide order



dated 20.12.2019 passed in Cr. Misc. No.85084 of 2019 and order dated 17.01.2020 passed in Cr. Misc. No.1430 of 2020 respectively. Petitioner has no criminal antecedent and he is in custody since 17.10.2019.

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 Kotwali P.S. Case No. 473 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)

Sanjay/-

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