

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37508 of 2021**

Arising Out of PS. Case No.-81 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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Shani Kumar @ Satyam Raj Son of Bindeshwari Vishwakarma @ Bideshwari
Mistri Resident of Village - Gangti, P.S.- Aurangabad, District - Aurangabad.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 21-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Aurangabad (Town) P.S.
Case No. 81 of 2021, registered for the offence under Section
381 of the Indian Penal Code.

As per the prosecution case, the petitioner was the
salesman in the shop of informant and it is alleged that
petitioner used to sell paint from the shop of informant without
any knowledge to informant and caused loss of Rs. 3,00,000/- to
informant. The said act was recorded in the CCTV Camera.

It is submitted on behalf of petitioner that the
allegation made in the FIR is completely false and fabricated. In
fact, the petitioner was working as Salesman in the shop of
informant on the salary of Rs. 6,000/- per month, which was due
for the last eight months, and when petitioner demanded his due



salary, the informant got annoyed and removed him from service and also, lodged this false case. Petitioner has got clean antecedent and is in custody since 28.02.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad P.S. Case No. 81 of 2021, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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