

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5636 of 2021

Arising Out of PS. Case No.-790 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

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SUJEET KUMAR Son of Late Krishna Kant Singh Resident of Village-
Motichhapra, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-04-2021 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 379 and 420 of the Indian Penal Code.

Informant in his written complaint has alleged that he is an employee of CMS Information Systems Ltd., which is engaged in refiling cash in the government and non government banks in various A.T.Ms. On 28.09.2020, an engineer Ghanshyam visited the Bairiya ATM to rectify some technical problem where he found the most important part, 'vault' opened and Ghanshyam thereafter informed the HDFC Bank and the CMS company. The staff of CMS company visited the aforesaid ATM and found the 'vault' opened and found no cash in it. It was found that Rs. 16,24,500/- was missing and police was



informed on 100 number about the incident.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Nothing has been recovered from the possession of the petitioner. Petitioner is not named in the FIR. It has been further submitted that petitioner was working on route no. 1 whereas the incident occurred on route no. 10. Petitioner has got no criminal antecedent and is in custody since 14.10.2020.

Considering the aforesaid facts and circumstances of the case and period of custody, 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 **Ahiyapur P.S. Case No. 790 of 2020**, 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/her absence on two consecutive dates without sufficient reason, his/her 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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